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JOURNAL

OF THE

ASSEMBLY

OF THE

STATE OF NEW YORK

AT THEIR

ONE HUNDRED AND TWENTY-SECOND SESSION.

VOLUME II.



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NEW YORK AND ALBANY.

1899.

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NAVY DEPARTMENT

20th Nov 1912



MARCH 14.]

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V, 2

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1328) entitled "An act to amend the Canal Law, relating to the time of opening the State canals" (Int. No. 603), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gale	Litchard	Rierdon
Allds	Cotton	Gallagher	Maher	Rogers
Apgar	Coughtry	Gardiner	Mangin	Rowe
Axtell	Cowles	Gleason	Mason	Russell
Babcock	Cross	Graham	Mazet	Sage S B
Baker	Darrison	Greenwood	McEwan	Sanders
Bell	Davis	Grossman	McInerney	Sands
Barrett	Dean	Guider	McKeown	Schmid A F
Baum	De Graw	Hallock	McMillan	Schoeneck
Bedell	Delaney	Harburger	Meister	Siems
Beede	Dillon	Hatch	Miles	Sloane C A
Boland	Doughty	Heller	Mohring	Smith J E
Brennan EC	Dutton	Henderson	Murphy	Smith J T
Brennan J F	Egan	Henry	O'Connell	Sprague
Brewster	Ellis	Hill	O'Connor	Stoneman
Brown	Evarts	Hitchcock	Palmer	Sullivan W J
Bryan	Fallows	Hutton	Paris	Thorn
Bulkley	Fancher	Juengst	Patton	Torborg
Burnett	Finn	Kane	Phillips	Vincent
Cain	Fish	Kelley E E	Pickett	West
Clark	Fitzgerald	Kullman	Post	Wilson
Collier	Fordyce	Lewis M E	Poth	Wingenfeld
Costello	Fowler	Lewis T D	Riedman	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1325) entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting

chapter 49 of the general laws,' relating to exemption from the provisions thereof of certain articles" (Int. No. 473), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	McEwan	Sandford
Alds	Coughtry	Green	McInerney	Sands
Apgar	Cowles	Greenwood	McKeown	Schmid A F
Axtell	Cross	Guider	McMillan	Schmid F
Babcock	Darrison	Hallock	Meister	Sears
Baker	Davis	Harburger	Meyer	Sharkey
Ball	Dean	Hatch	Mohring	Slater
Barrett	De Graw	Heller	Murphy	Sloane C A
Bashford	Delaney	Henderson	O'Connell	Smith J E
Barn	Dillon	Henry	O'Connor	Smith J T
Bedell	Doughty	Hill	Palmer	Sprague
Beede	Dutton	Hitchcock	Patton	Stoneman
Boland	Egan	Hoffman	Phillips	Sullivan T P
Brennan E	Cellis	Johnson	Post	Ten Eyck
Brennan J F	Fallows	Juengst	Redington	Thorn
Brewster	Fancher	Kelley E E	Riedman	Torborg
Brown	Farrell	Kelsey	Rierdon	Trainor
Bryan	Finn	Kullman	Roberts	Tripp
Bulkley	Fish	Lewis M E	Roche	Vincent
Burnett	Fitzgerald	Lewis T D	Rodenbeck	Ware
Cain	Fordyce	Litchard	Rogers	Whipple
Clark	Fowler	Maher	Russell	Wilson
Collier	Gale	Mangin	Sabine	Wingenfeld
Collins	Gallagher	Mason	Sage H M	Wissel
Costello	Gardiner	Mazet	Sage S B	Witter
Cottle	Gleason			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

. The bill (No. 1355) entitled "An act to amend chapter 224 of

the Laws of 1898, entitled 'An act to authorize the supervisors of Albany county to appoint sidepath commissioners with power to regulate the use of bicycles within such county, to license the use of the same, and to expend the funds raised thereby in the construction and maintenance of sidepaths for bicycles' " (Int. No. 304), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	McInerney	Sandford
Allds	Coughtry	Greenwood	McKeown	Sawyer
Apgar	Cowles	Grossman	McMillan	Schmid A F
Axtell	Cross	Guider	Meister	Schmid F
Babcock	Darrison	Hallock	Meyer	Schoeneck
Baker	Davis	Harburger	Mohring	Sears
Ball	Dean	Hays	Murphy	Siems
Barrett	Delaney	Henderson	O'Connell	Slater
Bashford	Dillon	Hill	O'Connor	Sloane C A
Baum	Doughty	Hitchcock	Palmer	Sloane J J
Bedell	Dutton	Hoffman	Paris	Smith J E
Beede	Egan	Hutton	Patton	Snyder
Boland	Ellis	Johnson	Phillips	Sprague
Brennan E C	Evarts	Juengst	Pickett	Stoneman
Brennan J F	Fallows	Kane	Poth	Streifler
Brewster	Fancher	Kelly G T	Redington	Sullivan T P
Brown	Farrell	Kelsey	Riedman	Ten Eyck
Bryan	Finn	Kullman	Rierdon	Thorn
Bulkley	Fish	Lewis T D	Roberts	Torborg
Burnett	Fordyce	Litchard	Rodenbeck	Tripp
Cain	Fowler	Maher	Rogers	Vincent
Clark	Gale	Mangin	Rowe	Ware
Collier	Gallagher	Martin	Russell	Whipple
Collins	Gardiner	Mason	Sage H M	Wilson
Costello	Gleason	Mazet	Sage S B	Wingenfeld
Cottle	Graham	McEwan	Sanders	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1363) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the powers of the common council" (Int. No. 889), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Sawyer
Allds	Cross	Hallock	Meyer	Schmid F
Apgar	Darrison	Harburger	Miles	Schoeneck
Axtell	Davis	Hatch	Murphy	Sears
Babcock	Dean	Hays	O'Connell	Sharkey
Baker	De Graw	Heller	O'Connor	Siems
Ball	Delaney	Henry	Palmer	Slater
Barrett	Dillon	Hill	Paris	Sloane J J
Bashford	Dutton	Hitchcock	Patton	Smith J E
Baum	Egan	Hoffman	Phillips	Smith J T
Beede	Ellis	Hutton	Pickett	Snyder
Boland	Evarts	Johnson	Post	Sprague
Brennan E C	Fallows	Juengst	Redington	Stoneman
Brennan J F	Fancher	Kelley E E	Riedman	Sullivan T P
Brewster	Farrell	Kelly G T	Rierdon	Sullivan W J
Brown	Finn	Kelsey	Roberts	Thorn
Bulkley	Fish	Kullman	Roche	Torborg
Burnett	Fitzgerald	Lewis T D	Rodenbeck	Trainor
Cain	Fowler	Litchard	Rowe	Tripp
Clark	Gale	Maher	Russell	Ware
Collier	Gallagher	Martin	Sabine	West
Collins	Gardiner	Mason	Sage S B	Wilson
Costello	Gleason	Mazet	Sanders	Wingenfeld
Cottle	Gould	McEwan	Sandford	Wissel
Cotton	Green	McInerney	Sands	Witter
Coughtry	Greenwood	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1362) entitled "An act to provide a board of park commissioners in and for the city of Yonkers, and for the laying out and opening of one or more public parks in said city, and for the improvement and maintenance of said public park or parks" (Int. No. 888), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hays	Meister	Schmid A F
Allds	Darrison	Heller	Meyer	Schoeneck
Apgar	Davis	Henderson	Miles	Sears
Axtell	Dean	Henry	Murphy	Sharkey
Babcock	De Graw	Hill	O'Connell	Siems
Baker	Delaney	Hitchcock	O'Connor	Slater
Ball	Dillon	Hoffman	Palmer	Sloane C A
Barrett	Doughty	Hutton	Paris	Sloane J J
Bashford	Dutton	Johnson	Phillips	Smith J T
Baum	Egan	Juengst	Pickett	Snyder
Bedell	Ellis	Kane	Post	Stoneman
Beede	Evarts	Kelley E E	Redington	Streifler
Boland	Fallows	Kelly G T	Riedman	Sullivan T P
Brennan E C	Fancher	Kelsey	Roberts	Sullivan W J
Brennan J F	Finn	Kullman	Roche	Ten Eyck
Brewster	Fish	Lewis M E	Rodenbeck	Thorn
Brown	Fordyce	Lewis T D	Rogers	Torborg
Bryan	Gale	Litchard	Rowe	Trainor
Burnett	Gallagher	Maher	Russell	Tripp
Cain	Gould	Mangin	Sabine	Vincent
Clark	Graham	Martin	Sage H M	Ware
Collier	Greenwood	Mason	Sage S B	West
Collins	Grossman	Mazet	Sanders	Wilson
Costello	Guider	McEwan	Sandford	Wingenfeld
Cottle	Hallock	McKeown	Sawyer	Wissel
Coughtry	Harburger	McMillan	Schmid F	Witter
Cowles	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1317) entitled "An act to reappropriate moneys appropriated by chapter 570 of the Laws of 1897, and by chapter 619 of the Laws of 1898 for the repairs of approaches and for the construction of a swing bridge in the town of Waterford" (Int. No. 481), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 180 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sands
Allds	Darrison	Hallock	Meyer	Sawyer
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Siems
Ball	Dillon	Henry	O'Connor	Slater
Barrett	Doughty	Hill	Palmer	Sloane C A
Bashford	Dutton	Hitchcock	Paris	Sloane J J
Bedell	Egan	Hutton	Patton	Smith J T
Beede	Ellis	Johnson	Pickett	Snyder
Boland	Evarts	Juengst	Post	Sprague
Brennan E C	Fallows	Kelley E E	Poth	Stoneman
Brennan J F	Fancher	Kelly G T	Riedman	Sullivan T P
Brown	Farrell	Kelsey	Rierdon	Sullivan W J
Bryan	Finn	Kullman	Roberts	Ten Eyck
Bulkley	Fish	Lewis T D	Roche	Thorn
Burnett	Fitzgerald	Litchard	Rodenbeck	Trainor
Clark	Fowler	Maher	Rogers	Tripp
Collier	Gale	Mangin	Rowe	Vincent
Collins	Gallagher	Martin	Russell	West
Costello	Gardiner	Mason	Sabine	Whipple
Cottle	Gleason	McEwan	Sage H M	Wilson
Cotton	Gould	McInerney	Sage S B	Wingenfeld
Coughtry	Graham	McKeown	Sanders	Wissel
Cowles	Greenwood	McMillan	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1218) entitled "An act to appropriate money for the erection of a State armory in the city of Hudson, county of Columbia, as provided by chapter 579 of the Laws of 1896, and making a further appropriation therefor" (Int. No. 124), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gould	Mazet	Sandford
Allds	Cotton	Graham	McInerney	Sands
Apgar	Coughtry	Green	McKeown	Sawyer
Axtell	Cowles	Greenwood	McMillan	Schmid F
Babcock	Cross	Grossman	Meister	Schoeneck
Baker	Darrison	Guider	Miles	Sears
Ball	Davis	Hallock	Mohring	Siems
Barrett	Dean	Hatch	Murphy	Slater
Bashford	De Graw	Hays	O'Connor	Sloane C A
Baum	Delaney	Hellér	Palmer	Sloane J J
Bedell	Dillon	Henry	Paris	Smith J E
Beede	Egan	Hill	Phillips	Snyder
Boland	Ellis	Hoffman	Pickett	Sprague
Brennan E	Evarts	Hutton	Poth	Streifler
Brennan J F	Fallows	Juengst	Redington	Sullivan W J
Brewster	Fancher	Kane	Riedman	Ten Eyck
Brown	Farrell	Kelly G T	Roberts	Thorn
Bryan	Finn	Kelsey	Roche	Torborg
Bulkley	Fish	Kullman	Rodenbeck	Tripp
Burnett	Fitzgerald	Lewis M E	Rogers	Vincent
Oain	Fowler	Lewis T D	Rowe	Ware
Clark	Gale	Maher	Russell	Whipple
Collier	Gallagher	Mangin	Sabine	Wilson
Collins	Gardiner	Martin	Sage H M	Wissel
Costello	Gleason	Mason	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1315) entitled "An act making an appropriation for the Craig Colony for Epileptics" (Int. No. 441), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McMillan	Sawyer
Allds	Darrison	Hallock	Meister	Schmid A F
Apgar	Davis	Harburger	Meyer	Schmid F
Axtell	Dean	Hays	Miles	Schoeneck
Babcock	De Graw	Heller	Mohring	Sharkey
Baker	Delaney	Henderson	Murphy	Siems
Ball	Dillon	Henry	O'Connell	Sloane C A
Barrett	Doughty	Hitchcock	O'Connor	Sloane J J
Bashford	Egan	Hoffman	Paris	Smith J E
Baum	Ellis	Hutton	Patton	Smith J T
Bedell	Evarts	Johnson	Phillips	Snyder
Beede	Fallows	Juengst	Pickett	Sprague
Boland	Fancher	Kelley E E	Poth	Stoneman
Brennan E C	Farrell	Kelly G T	Redington	Streifler
Brennan J F	Finn	Kelsey	Riedman	Sullivan W J
Brown	Fitzgerald	Kullman	Rierdon	Ten Eyck
Bryan	Fowler	Lewis M E	Roche	Thorn
Bulkley	Gale	Lewis T D	Rodenbeck	Torborg
Burnett	Gallagher	Litchard	Rogers	Tripp
Clark	Gardiner	Maher	Rowe	Vincent
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Wilson
Cottle	Green	McEwan	Sage S B	Wingenfeld
Cotton	Greenwood	McInerney	Sandford	Wissel
Coughtry	Grossman	McKeown	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

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The bill (No. 1328) entitled "An act to amend the Canal Law, relating to the time of opening the State canals" (Int. No. 603), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gale	Litchard	Rierdon
Allds	Cotton	Gallagher	Maher	Rogers
Apgar	Coughtry	Gardiner	Mangin	Rowe
Axtell	Cowles	Gleason	Mason	Russell
Babcock	Cross	Graham	Mazet	Sage S B
Baker	Darrison	Greenwood	McEwan	Sanders
Ball	Davis	Grossman	McInerney	Sands
Barrett	Dean	Guider	McKeown	Schmid A F
Baum	De Graw	Hallock	McMillan	Schoeneck
Bedell	Delaney	Harburger	Meister	Siems
Beede	Dillon	Hatch	Miles	Sloane C A
Boland	Doughty	Heller	Mohring	Smith J E
Brennan E C	Dutton	Henderson	Murphy	Smith J T
Brennan J F	Egan	Henry	O'Connell	Sprague
Brewster	Ellis	Hill	O'Connor	Stoneman
Brown	Evarts	Hitchcock	Palmer	Sullivan W J
Bryan	Fallows	Hutton	Paris	Thorn
Bulkley	Fancher	Juengst	Patton	Torborg
Burnett	Finn	Kane	Phillips	Vincent
Cain	Fish	Kelley E E	Pickett	West
Clark	Fitzgerald	Kullman	Post	Wilson
Collier	Fordyce	Lewis M E	Poth	Wingenfeld
Costello	Fowler	Lewis T D	Riedman	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1325) entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting

chapter 49 of the general laws,' relating to exemption from the provisions thereof of certain articles" (Int. No. 473), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	McEwan	Sandford
Allds	Coughtry	Green	McInerney	Sands
Apgar	Cowles	Greenwood	McKeown	Schmid A F
Axtell	Cross	Guider	McMillan	Schmid F
Babcock	Darrison	Hallock	Meister	Sears
Baker	Davis	Harburger	Meyer	Sharkey
Ball	Dean	Hatch	Mohring	Slater
Barrett	De Graw	Heller	Murphy	Sloane C A
Bashford	Delaney	Henderson	O'Connell	Smith J E
Barn	Dillon	Henry	O'Connor	Smith J T
Bedell	Doughty	Hill	Palmer	Sprague
Beede	Dutton	Hitchcock	Patton	Stoneman
Boland	Egan	Hoffman	Phillips	Sullivan T P
Brennan E	Cellis	Johnson	Post	Ten Eyck
Brennan J F	Fallows	Juengst	Redington	Thorn
Brewster	Fancher	Kelley E E	Riedman	Torborg
Brown	Farrell	Kelsey	Rierdon	Trainor
Bryan	Finn	Kullman	Roberts	Tripp
Bulkley	Fish	Lewis M E	Roche	Vincent
Burnett	Fitzgerald	Lewis T D	Rodenbeck	Ware
Cain	Fordyce	Litchard	Rogers	Whipple
Clark	Fowler	Maher	Russell	Wilson
Collier	Gale	Mangin	Sabine	Wingenfeld
Collins	Gallagher	Mason	Sage H M	Wissel
Costello	Gardiner	Mazet	Sage S B	Witter
Cottle	Gleason			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1355) entitled "An act to amend chapter 224 of

the Laws of 1898, entitled 'An act to authorize the supervisors of Albany county 'to appoint sidepath commissioners with power to regulate the use of bicycles within such county, to license the use of the same, and to expend the funds raised thereby in the construction and maintenance of sidepaths for bicycles' " (Int. No. 304), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	McInerney	Sandford
Allds	Coughtry	Greenwood	McKeown	Sawyer
Apgar	Cowles	Grossman	McMillan	Schmid A F
Axtell	Cross	Guider	Meister	Schmid F
Babcock	Darrison	Hallock	Meyer	Schoeneck
Baker	Davis	Harburger	Mohring	Sears
Ball	Dean	Hays	Murphy	Siems
Barrett	Delaney	Henderson	O'Connell	Slater
Bashford	Dillon	Hill	O'Connor	Sloane C A
Baum	Doughty	Hitchcock	Palmer	Sloane J J
Bedell	Dutton	Hoffman	Paris	Smith J E
Beede	Egan	Hutton	Patton	Snyder
Boland	Ellis	Johnson	Phillips	Sprague
Brennan E C	Evarts	Juengst	Pickett	Stoneman
Brennan J F	Fallows	Kane	Poth	Streifler
Brewster	Fancher	Kelly G T	Redington	Sullivan T P
Brown	Farrell	Kelsey	Riedman	Ten Eyck
Bryan	Finn	Kullman	Rierdon	Thorn
Bulkley	Fish	Lewis T D	Roberts	Torborg
Burnett	Fordyce	Litchard	Ródenbeck	Tripp
Cain	Fowler	Maher	Rogers	Vincent
Clark	Gale	Mangin	Rowe	Ware
Collier	Gallagher	Martin	Russell	Whipple
Collins	Gardiner	Mason	Sage H M	Wilson
Costello	Gleason	Mazet	Sage S B	Wingenfeld
Cottle	Graham	McEwan	Sanders	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1363) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the powers of the common council" (Int. No. 889), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Sawyer
Allds	Cross	Hallock	Meyer	Schmid F
Apgar	Darrison	Harburger	Miles	Schoeneck
Axtell	Davis	Hatch	Murphy	Sears
Babcock	Dean	Hays	O'Connell	Sharkey
Baker	De Graw	Heller	O'Connor	Siems
Ball	Delaney	Henry	Palmer	Slater
Barrett	Dillon	Hill	Paris	Sloane J J
Bashford	Dutton	Hitchcock	Patton	Smith J E
Baum	Egan	Hoffman	Phillips	Smith J T
Beede	Ellis	Hutton	Pickett	Snyder
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Brennan J F	Fancher	Kelley E E	Riedman	Sullivan T P
Brewster	Farrell	Kelly G T	Rierdon	Sullivan W J
Brown	Finn	Kelsey	Roberts	Thorn
Bulkley	Fish	Kullman	Roche	Torborg
Burnett	Fitzgerald	Lewis T D	Rodenbeck	Trainor
Cain	Fowler	Litchard	Rowe	Tripp
Clark	Gale	Maher	Russell	Ware
Collier	Gallagher	Martin	Sabine	West
Collins	Gardiner	Mason	Sage S B	Wilson
Costello	Gleason	Mazet	Sanders	Wingenfeld
Cottle	Gould	McEwan	Sandford	Wissel
Cotton	Green	McInerney	Sands	Witter
Coughtry	Greenwood	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1362) entitled "An act to provide a board of park commissioners in and for the city of Yonkers, and for the laying out and opening of one or more public parks in said city, and for the improvement and maintenance of said public park or parks" (Int. No. 888), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hays	Meister	Schmid A F
Allds	Darrison	Heller	Meyer	Schoeneck
Apgar	Davis	Henderson	Miles	Sears
Axtell	Dean	Henry	Murphy	Sharkey
Babcock	De Graw	Hill	O'Connell	Siems
Baker	Delaney	Hitchcock	O'Connor	Slater
Ball	Dillon	Hoffman	Palmer	Sloane C A
Barrett	Doughty	Hutton	Paris	Sloane J J
Bashford	Dutton	Johnson	Phillips	Smith J T
Baum	Egan	Juengst	Pickett	Snyder
Bedell	Ellis	Kane	Post	Stoneman
Beede	Evarts	Kelley E E	Redington	Streifler
Boland	Fallows	Kelly G T	Riedman	Sullivan T P
Brennan E C	Fancher	Kelsey	Roberts	Sullivan W J
Brennan J F	Finn	Kullman	Roche	Ten Eyck
Brewster	Fish	Lewis M E	Rodenbeck	Thorn
Brown	Fordyce	Lewis T D	Rogers	Torborg
Bryan	Gale	Litchard	Rowe	Trainor
Burnett	Gallagher	Maher	Russell	Tripp
Cain	Gould	Mangin	Sabine	Vincent
Clark	Graham	Martin	Sage H M	Ware
Collier	Greenwood	Mason	Sage S B	West
Collins	Grossman	Mazet	Sanders	Wilson
Costello	Guider	McEwan	Sandford	Wingefeld
Cottle	Hallock	McKeown	Sawyer	Wissel
Coughtry	Harburger	McMillan	Schmid F	Witter
Cowles	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1317) entitled " An act to reappropriate moneys appropriated by chapter 570 of the Laws of 1897, and by chapter 619 of the Laws of 1898 for the repairs of approaches and for the construction of a swing bridge in the town of Waterford " (Int. No. 481), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 180 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sands
Alds	Darrison	Hallock	Meyer	Sawyer
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Siems
Ball	Dillon	Henry	O'Connor	Slater
Barrett	Doughty	Hill	Palmer	Sloane C A
Bashford	Dutton	Hitchcock	Paris	Sloane J J
Bedell	Egan	Hutton	Patton	Smith J T
Beede	Ellis	Johnson	Pickett	Snyder
Boland	Evarts	Juengst	Post	Sprague
Brennan EC	Fallows	Kelley E E	Poth	Stoneman
Brennan J F	Fancher	Kelly G T	Riedman	Sullivan T P
Brown	Farrell	Kelsey	Rierdon	Sullivan W J
Bryan	Finn	Kullman	Roberts	Ten Eyck
Bulkley	Fish	Lewis T D	Roche	Thorn
Burnett	Fitzgerald	Litchard	Rodenbeck	Trainor
Clark	Fowler	Maher	Rogers	Tripp
Collier	Gale	Mangin	Rowe	Vincent
Collins	Gallagher	Martin	Russell	West
Costello	Gardiner	Mason	Sabine	Whipple
Cottle	Gleason	McEwan	Sage H M	Wilson
Cotton	Gould	McInerney	Sage S B	Wingenfeld
Coughtry	Graham	McKeown	Sanders	Wissel
Cowles	Greenwood	McMillan	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1218) entitled "An act to appropriate money for the erection of a State armory in the city of Hudson, county of Columbia, as provided by chapter 579 of the Laws of 1896, and making a further appropriation therefor" (Int. No. 124), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gould	Mazet	Sandford
Allds	Cotton	Graham	McInerney	Sands
Apgar	Coughtry	Green	McKeown	Sawyer
Axtell	Cowles	Greenwood	McMillan	Schmid F
Babcock	Cross	Grossman	Meister	Schoeneck
Baker	Darrison	Guider	Miles	Sears
Ball	Davis	Hallock	Mohring	Siems
Barrett	Dean	Hatch	Murphy	Slater
Bashford	De Graw	Hays	O'Connor	Sloane C A
Baum	Delaney	Heller	Palmer	Sloane J J
Bedell	Dillon	Henry	Paris	Smith J E
Beede	Egan	Hill	Phillips	Snyder
Boland	Ellis	Hoffman	Pickett	Sprague
Brennan E C	Everts	Hutton	Poth	Streifler
Brennan J F	Fallows	Juengst	Redington	Sullivan W J
Brewster	Fancher	Kane	Riedman	Ten Eyck
Brown	Farrell	Kelly G T	Roberts	Thorn
Bryan	Finn	Kelsey	Roche	Torborg
Bulkley	Fish	Kullman	Rodenbeck	Tripp
Burnett	Fitzgerald	Lewis M E	Rogers	Vincent
Cain	Fowler	Lewis T D	Rowe	Ware
Clark	Gale	Maher	Russell	Whipple
Collier	Gallagher	Mangin	Sabine	Wilson
Collins	Gardiner	Martin	Sage H M	Wissel
Costello	Gleason	Mason	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1315) entitled "An act making an appropriation for the Craig Colony for Epileptics" (Int. No. 441), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McMillan	Sawyer
Allds	Darrison	Hallock	Meister	Schmid A F
Apgar	Davis	Harburger	Meyer	Schmid F
Axtell	Dean	Hays	Miles	Schoeneck
Babcock	De Graw	Heller	Mohring	Sharkey
Baker	Delaney	Henderson	Murphy	Siems
Ball	Dillon	Henry	O'Connell	Sloane C A
Barrett	Doughty	Hitchcock	O'Connor	Sloane J J
Bashford	Egan	Hoffman	Paris	Smith J E
Baum	Ellis	Hutton	Patton	Smith J T
Bedell	Evarts	Johnson	Phillips	Snyder
Beede	Fallows	Juengst	Pickett	Sprague
Boland	Fancher	Kelley E E	Poth	Stoneman
Brennan E C	Farrell	Kelly G T	Redington	Streifler
Brennan J F	Finn	Kelsey	Riedman	Sullivan W J
Brown	Fitzgerald	Kullman	Rierdon	Ten Eyck
Bryan	Fowler	Lewis M E	Roche	Thorn
Bulkley	Gale	Lewis T D	Rodenbeck	Torborg
Burnett	Gallagher	Litchard	Rogers	Tripp
Clark	Gardiner	Maher	Rowe	Vincent
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Wilson
Cottle	Green	McEwan	Sage S B	Wingenfeld
Cotton	Greenwood	McInerney	Sandford	Wissel
Coughtry	Grossman	McKeown	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Costello	Green	McEwan	Sage S B	Wingenfeld
Cottle	Greenwood	McInerney	Sanders	Wissel
Cotton	Grossman	McKeown	Sandford	Witter
Coughtry	Guider			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 345) entitled "An act to amend section 1260 of the Code of Civil Procedure, in relation to the satisfaction of judgments" (Rec. No. 23), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	McEwan	Sandford
Allds	Cowles	Guider	McInerney	Sands
Apgar	Cross	Hallock	McMillan	Sawyer
Axtell	Darrison	Harburger	Meister	Schmid A F
Babcock	Davis	Hatch	Miles	Schmid F
Baker	Dean	Hays	Mohring	Schoeneck
Ball	De Graw	Heller	Murphy	Sharkey
Barrett	Delaney	Henderson	O'Connell	Siems
Bashford	Dillon	Henry	O'Connor	Slater
Baum	Doughty	Hill	Palmer	Sloane C A
Bedell	Dutton	Hitchcock	Paris	Smith J E
Beede	Ellis	Hoffman	Phillips	Smith J T
Boland	Evarts	Hutton	Pickett	Sprague
Brennan E O	Fancher	Johnson	Poth	Stoneman
Brennan J F	Farrell	Juengst	Redington	Streifer
Brewster	Finn	Kane	Riedman	Sullivan T P
Brown	Fitzgerald	Kelley E E	Roberts	Sullivan W J
Bryan	Fordyce	Kelly G T	Roche	Thorn
Bulkley	Fowler	Kelsey	Rodenbeck	Torborg
Burnett	Gale	Kullman	Rogers	Trainor
Cain	Gallagher	Lewis M E	Rowe	Vincent
Clark	Gardiner	Lewis T D	Russell	Ware

Collier	Gleason	Litchard	Sabine	West
Collins	Gould	Mangin	Sage H M	Wilson
Costello	Green	Martin	Sage S B	Wingenfeld
Cottle	Greenwood	Mazet	Sanders	Wissel
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 583) entitled "An act to amend the Agricultural Law, in relation to process butter and the use of preservatives in dairy products" (Rec. No. 90), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	Meister	Schmid A F
Alds	Cross	Hatch	Meyer	Schmid F
Apgar	Darrison	Hays	Miles	Schoeneck
Axtell	Davis	Heller	Murphy	Sears
Babcock	De Graw	Henderson	O'Connell	Sharkey
Baker	Delaney	Henry	O'Connor	Siems
Ball	Dillon	Hill	Palmer	Slater
Barrett	Dutton	Hoffman	Paris	Sloane C A
Bashford	Egan	Hutton	Patton	Sloane J J
Baum	Ellis	Johnson	Phillips	Smith J T
Bedell	Fallows	Juengst	Pickett	Snyder
Beede	Fancher	Kane	Post	Sprague
Boland	Farrell	Kelly G T	Poth	Stoneman
Brennan E C	Finn	Kelsey	Riedman	Streifler
Brennan J F	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brewster	Fordyce	Lewis M E	Roberts	Sullivan W J
Brown	Gale	Lewis T D	Roche	Thorn
Bryan	Gallagher	Litchard	Rodenbeck	Torborg
Burnett	Gleason	Maher	Rogers	Trainor
Cain	Gould	Mangin	Rowe	Vincent
Clark	Graham	Martin	Russell	Ware

Collins	Green	Mason	Sabine	Whipple
Costello	Greenwood	McEwan	Sage H M	Wingenfeld
Cottle	Grossman	McInerney	Sanders	Wissel
Cotton	Guider	McKeown	Sands	Wilson
Coughtry	Hallock	McMillan	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 467) entitled " An act to amend the Code of Civil Procedure, relative to rooms in which Justices' Courts may be held " (Rec. No. 52), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meister	Schmid F
Allds	Davis	Hays	Meyer	Schoeneck
Apgar	Dean	Heller	Mohring	Sears
Axtell	De Graw	Henderson	O'Connell	Siems
Babcock	Delaney	Henry	O'Connor	Slater
Baker	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hoffman	Patton	Sloane J J
Bashford	Ellis	Hutton	Phillips	Smith J E
Baum	Evarts	Johnson	Pickett	Smith J T
Bedell	Fallows	Juengst	Poth	Sprague
Beede	Farrell	Kane	Redington	Stoneman
Boland	Fish	Kelley E E	Riedman	Streifer
Brennan J F	Fitzgerald	Kelly G T	Rierdon	Sullivan W J
Brewster	Fordyce	Kullman	Roche	Ten Eyck
Brown	Fowler	Lewis M E	Rodenbeck	Thorn
Bulkley	Gallagher	Lewis T D	Rogers	Torborg
Burnett	Gardiner	Litchard	Russell	Tripp
Cain	Gould	Mangin	Sabine	Vincent
Clark	Graham	Martin	Sage H M	Ware
Collins	Green	Mason	Sage S B	West

Costello	Greenwood	Mazet	Sanders	Wilson
Cotton	Grossman	McEwan	Sandford	Wingenfeld
Coughtry	Guider	McKeown	Sands	Wissel
Cowles	Hallock	McMillan	Schmid A F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 418) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways,' in relation to notices of apportionment of assessment" (Rec. No. 120), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 139 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McKeown	Sawyer
Allds	Darrison	Guider	McMillan	Schmid A F
Apgar	Davis	Hallock	Meyer	Schmid F
Axtell	Dean	Harburger	Miles	Schoeneck
Babcock	De Graw	Hatch	Mohring	Sears
Baker	Delaney	Heller	Murphy	Siems
Ball	Dillon	Henderson	O'Connell	Slater
Barrett	Doughty	Henry	O'Connor	Sloane C A
Bashford	Dutton	Hill	Palmer	Sloane J J
Baum	Egan	Hitchcock	Patton	Smith J E
Bedell	Ellis	Hoffman	Phillips	Smith J T
Beede	Evarts	Hutton	Pickett	Snyder
Boland	Fallows	Johnson	Poth	Sprague
Brennan E C	Fancher	Juengst	Redington	Stoneman
Brennan J F	Farrell	Kane	Riedman	Streifler
Brown	Finn	Kelley E E	Rierdon	Sullivan W J
Bryan	Fish	Kelly G T	Roberts	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Roche	Thorn
Burnett	Fordyce	Kullman	Rodenbeck	Torborg
Cain	Fowler	Lewis M E	Rogers	Trainor
Clark	Gale	Lewis T D	Rowe	Tripp

Collier	Gallagher	Litchard	Russell	Ware
Collins	Gardiner	Maher	Sabine	West
Costello	Gleason	Mangin	Sage H M	Whipple
Cottle	Gould	Mason	Sage S B	Wilson
Cotton	Graham	Mazet	Sanders	Wingenfeld
Coughtry	Green	McEwan	Sandford	Wissel
Cowles	Greenwood	McInerney	Sands	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 464) entitled "An act to amend section 3320 of the Code of Civil Procedure relative to receivers commissions" (Rec. No. 48), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McEwan	Sands
Allds	Cowles	Grossman	McInerney	Sawyer
Apgar	Cross	Guider	McMillan	Schmid A F
Axtell	Darrison	Hallock	Meister	Schoeneck
Babcock	Davis	Hatch	Meyer	Sears
Baker	Dean	Hays	Mohring	Sharkey
Ball	De Graw	Heller	Murphy	Siems
Barrett	Delaney	Henderson	O'Connell	Slater
Bashford	Dillon	Henry	O'Connor	Sloane C A
Baum	Doughty	Hill	Paris	Smith J E
Bedell	Dutton	Hitchcock	Patton	Smith J T
Beede	Egan	Hoffman	Phillips	Sprague
Boland	Ellis	Hutton	Post	Stoneman
Brennan E	CEvarts	Johnson	Poth	Sullivan T P
Brennan J F	Fallows	Juengst	Redington	Sullivan W J
Brewster	Fancher	Kane	Rierdon	Ten Eyck
Brown	Farrell	Kelley E E	Roberts	Thorn
Bryan	Finn	Kelly G T	Roche	Trainor
Bulkley	Fitzgerald	Kelsey	Rodenbeck	Tripp

Burnett	Fordyce	Kullman	Rogers	Ware
Cain	Gale	Lewis M E	Rowe	West
Clark	Gallagher	Lewis T D	Russell	Whipple
Collier	Gardiner	Litchard	Sabine	Wilson
Collins	Gleason	Mangin	Sage H M	Wingenfeld
Costello	Gould	Martin	Sage S B	Wissel
Cottle	Graham	Mason	Sanders	Witter
Cotton	Green	Mazet	Sandford	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. M. E. Lewis moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Coughtry	Heller	Meister	Siems
Allds	Cowles	Henderson	Meyer	Sloane C A
Apgar	Davis	Henry	O'Connor	Sloane J J
Axtell	De Graw	Hill	Palmer	Smith J E
Babcock	Delaney	Hitchcock	Paris	Smith J T
Ball	Dillon	Hoffman	Phillips	Snyder
Barrett	Dutton	Hutton	Pickett	Sprague
Baum	Ellis	Johnson	Poth	Stoneman
Bedell	Fallows	Juengst	Redington	Streifler
Beede	Fancher	Kane	Rierdon	Sullivan T P
Boland	Finn	Kelly G T	Roche	Ten Eyck
Brennan J F	Fish	Kullman	Rodenbeck	Thorn
Brewster	Fitzgerald	Lewis M E	Rogers	Torborg
Bryan	Fordyce	Lewis T D	Rowe	Trainor
Bulkley	Gale	Maher	Sabine	Tripp
Cain	Gould	Mangin	Sage H M	Vincent
Clark	Graham	Martin	Sage S B	Ware
Collier	Green	Mason	Sanders	West
Collins	Greenwood	Mazet	Sandford	Whipple
Costello	Harburger	McEwan	Sands	Wissel
Cotton	Hatch	McInerney	Schoeneck	Witter
Cottle	Hays	McKeown	Sears	

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. E. C. Brennan, Wilson, E. E. Kelley, McMillan, Darrison, Post, Litchard, Doughty, Hallock, Slater, Russell, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1311) entitled "An act to amend the Banking Law" (Int. No. 379), having been announced for a third reading,

Mr. Green.—I move that this bill be stricken from the calendar upon the ground that it is improperly upon the calendar—not conforming to the rules of the House.

Mr. Speaker.—The gentleman will state the rule under which he raises the point of order; and also the reason for which he raises the point of order.

Mr. Green.—Page 145, Rule 54, which provides that "the titles of all bills proposing amendments to chapter 410 of the Laws of 1882, and so forth—and also all bills proposing amendments to the Penal Code, the Code of Criminal Procedure, the Code of Civil Procedure, the Revised Statutes or to any existing law, when introduced into this House must contain not only the number of the chapter of the statute so amended but must also quote the title of the chapter to be amended and some brief reference to the subject matter of the proposed amendment." My point of order is that this bill is improperly before the House in that the title of this bill does not conform to the rule, and under the rules of this House which provide that the Clerk of this House be directed and is directed to forthwith return the bill to the member—my point of order is that that procedure should follow in this case.

Mr. Speaker.—The Chair will hold as his predecessors have upon this proposition—that the point of order is not well taken. It is utterly impossible in all respects to comply with the detailed statement, so far as every bill is concerned. It would be impossible to hold upon the various propositions submitted to this Legislature, that you can always make reference within the title to what the bill—to what the statute really does—

Mr. Finn.—According to the ruling of the Chair, every bill hereafter which may be not in order and presented here not in order under the rule and presented here, of course—on a point of order made by one of the members that it is not properly underscored,

not properly bracketed—I understand now that this rule will abrogate the rules connected with the rules that we are now working under.

Mr. Speaker.—The Chair does not so understand. The Chair will dispose of the proposition on that point of order when the time comes.

Mr. Finn.—Then, Mr. Speaker, that you merely make this—merely to deny this point of order, just on this bill only. Because it cannot as you see—every proposition that is made here to have a bill in its proper order, if the points of order are made that it is not in its proper order—of course, if your decision on this matter now, stands, why then, every point of order that is made that a bill cannot be properly before the House—it abrogates the rules—

Mr. Speaker.—The Chair has held that this bill gives the title of the law to be amended under the general statute, as the Banking Law. The gentleman from New York appreciates that this bill refers to the general title of the bill which it amends, as provided for under the Rule 54.

Mr. Palmer.—It seems to me that the rules of this House ought to be enforced by the Speaker of this body—and I know when I say this I am out of order, Mr. Speaker—While the title of this bill does refer to the Banking Law of the State; yet I desire to make the point of order here—or, re-enforce the point of order already made, that it does not refer to a single item or subject that is amended in the Banking Law of the State of New York; and let me suggest one thing further, Mr. Speaker—That the rule of this House requiring that the title of a bill refer to the subject matter under the particular subject-matter amended, was a rule of wholesome effect, and a rule that should be maintained in this House. A rule Mr. Speaker, that is predicated upon the decisions of this State; that no act of the Legislature can stand the scrutiny of the courts in this State unless the particular subject is pointed out which is amended by a bill which passes this House. I say it is not only a rule of this House which should be maintained but it is in accordance with the decisions of this State, repeatedly held that cannot stand the scrutiny of the courts of this State.

Mr. Green appeals from the decision of the Chair.

Mr. Green.—I have the greatest respect for the ability and fair-mindedness of our distinguished and beloved Speaker. Ordinarily I would not appeal from the decision of the Chair; but I think on an occasion of this kind where the decision is of such far-reaching importance and of such great consequence to the future deliberations of this body that I am in duty bound to my colleagues around this circle and particularly to the minority, to appeal from the decision of the Chair. I want to call the attention of my colleagues in this House to the plain language of the Rules of this House, as placed in Rule 54 on page 145 of the Blue Book. If the English language means anything I believe that the expressions in the language which you will find on that page, just exactly what the members of this House intended to have us believe that it intended to express. This rule provides that where a member introduces a bill as to an existing law, that so as to enable the members of this House or anybody having business in the examination of a bill introduced that he may be enabled to understand the purpose of the amendment, that the title of that bill shall express in the language of that rule some brief reference to the subject matter of that amendment. Now, in what way would any member of this House know that this bill was amended—take up this bill on the order of third reading as it appears upon our calendar to-day—no living soul could understand what amendment had been made there except that you sent to the document room and obtained the bill bearing the amendments underscored. But you would have been able to understand the amendments which had been introduced in this bill if this title had conformed to the rules of this House and had expressed this language “An act to amend the banking law in relation to deposits,” or “as to the amount of interest limited upon deposits”—or, phraseology of that kind. This does nothing of the kind. In consequence of which you would be compelled to search every section of the Banking Law or every line of the Banking Law of the sections amended, in order to understand what section is amended. I ask the members of this House to support me in my appeal from the decision of the Chair in this case. You will find—and I register this prophecy now—that it will return some day in the very near future, when

the committee on rules is at work, and every day send out to you dozens and dozens of bills upon which there have been no hearings, that that vote which you give to-day will return to plague all.

Mr. Speaker put the question "Shall the decision of the Chair stand as the judgment of the House?" and it was determined in the affirmative.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, not a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 67 }
{ NOES 57 }

Those who voted in the affirmative, were

Adler	Clark	Fancher	McMillan	Sloane C A
Allds	Collier	Fordyce	Paris	Smith J T
Apgar	Costello	Graham	Post	Snyder
Axtell	Cottle	Greenwood	Roberts	Sprague
Babcock	Cotton	Hallock	Rodenbeck	Stoneman
Baker	Coughtry	Hatch	Rogers	Ten Eyck
Bashford	Cowles	Hays	Rowe	Tripp
Bedell	Darrison	Hill	Russell	Vincent
Beede	De Graw	Johnson	Sabine	Ware
Brennan E C	Delaney	Kelley E E	Sage H M	West
Brewster	Doughty	Litchard	Sandford	Whipple
Bryan	Dutton	Martin	Sears	Wilson
Bulkley	Ellis	McEwan	Slater	Witter
Burnett	Fallows			

Those who voted in the negative, were

Ball	Fish	Juengst	O'Connor	Schmid A F
Barrett	Fitzgerald	Kane	Palmer	Schoeneck
Baum	Gould	Kelly G T	Patton	Siems
Boland	Green	Kullman	Phillips	Sloane J J
Brennan J F	Grossman	Maher	Poth	Smith J E

Cain	Guider	Mangin	Riedman	Streifler
Collins	Harburger	McInerney	Rierdon	Sullivan T P
Davis	Heller	McKeown	Roche	Sullivan W J
Dean	Henderson	Meister	Sage S B	Torborg
Dillon	Henry	Meyer	Sanders	Trainor
Egan	Hoffman	O'Connell	Sands	Wissel
Farrell	Hutton			

Mr. McEwan moved to reconsider the vote by which said bill was lost, and that that motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1367) entitled "An act 'An act to create a board of police commissioners for the city of Amsterdam'" (Int. No. 1017), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McKeown	Schmid F
Allds	Darrison	Hallock	McMillan	Schoeneck
Apgar	Dean	Harburger	Meister	Sears
Axtell	De Graw	Hatch	Meyer	Siems
Babcock	Delaney	Hays	Miles	Slater
Baker	Dillon	Heller	Mohring	Sloane C A
Ball	Doughty	Henderson	Murphy	Sloane J J
Barrett	Egan	Hill	O'Connell	Smith J E
Bashford	Ellis	Hitchcock	O'Connor	Smith J T
Baum	Evarts	Hoffman	Palmer	Snyder
Bedell	Fallows	Hutton	Paris	Sprague
Beede	Fancher	Johnson	Patton	Stoneman
Boland	Farrell	Juengst	Phillips	Streifler
Brennan EC	Finn	Kane	Post	Sullivan W J
Brewster	Fish	Kelly G T	Poth	Ten Eyck
Brown	Fitzgerald	Kelsey	Riedman	Thorn
Bryan	Fordyce	Kullman	Roberts	Torborg
Bulkley	Fowler	Lewis M E	Roche	Trainor

Burnett	Gale	Lewis T D	Rodenbeck	Tripp
Cain	Gallagher	Litchard	Rogers	Vincent
Clark	Gardiner	Maher	Russell	Ware
Collier	Gleason	Mangin	Sabine	West
Collins	Gould	Martin	Sage H M	Whipple
Costello	Graham	Mason	Sage S B	Wilson
Cottle	Green	Mazet	Sanders	Wingenfeld
Cotton	Greenwood	McEwan	Sands	Wissel
Coughtry	Grossman	McInerney	Sawyer	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 40) entitled "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in The City of New York" (Int. No. 40), having been announced for a third reading,

Mr. Maher moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Strike out section 5 and substitute therefor the following:

"§ 5. This act shall take effect thirty days after its passage."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Maher, and it was determined in the affirmative.

Mr. Fordyce, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 838) entitled "An act to amend the Public Health Law, in relation to veterinarians' qualifications to practice" (Int. No. 755), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Sands
Allds	Davis	Hays	Meyer	Schmid A F
Apgar	Dean	Heller	Miles	Schmid F
Babcock	Delaney	Henderson	Mohring	Schoeneck
Baker	Dillon	Henry	Murphy	Sears
Ball	Doughty	Hill	O'Connell	Siems
Barrett	Dutton	Hitchcock	O'Connor	Slater
Bashford	Egan	Hoffman	Palmer	Sloane C A
Baum	Ellis	Hutton	Paris	Sloane J J
Redell	Evarts	Juengst	Patton	Smith J T
Beede	Fallows	Kane	Phillips	Snyder
Boland	Farrell	Kelley E E	Pickett	Sprague
Brennan E C	Finn	Kelly G T	Poth	Streifler
Brennan J F	Fish	Kelsey	Redington	Sullivan T P
Brewster	Fitzgerald	Kullman	Riedman	Sullivan W J
Brown	Fordyce	Lewis M E	Rierdon	Thorn
Bryan	Fowler	Lewis T D	Roberts	Torborg
Bulkley	Gallagher	Maher	Roche	Trainor
Cain	Gardiner	Mangin	Rodenbeck	Vincent
Clark	Gleason	Martin	Rogers	Ware
Collier	Gould	Mason	Rowe	West
Collins	Graham	Mazet	Russell	Whipple
Costello	Green	McEwan	Sabine	Wilson
Cottle	Greenwood	McInerney	Sage H M	Wingenfeld
Coughtry	Grossman	McKeown	Sage S B	Wissel
Cowles	Guider	McMillan	Sanders	Witter
Cross	Hallock			

Those who voted in the negative, were

Axtell

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 621) entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners, and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths" (Int. No. 581), having been announced for a third reading,

On motion of Mr. Hitchcock, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 569) entitled "An act to authorize the county judge of Cortland county to appoint a board of sidepath commissioners for such county, and to provide revenue for the construction, maintenance and repair of sidepaths for bicycles" (Int. No. 535), having been announced for a third reading,

On motion of Mr. Sands, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 477) entitled "An act to authorize the county judge of Rensselaer county to appoint sidepath commissioners who shall have power to regulate the use of bicycles within such county, to license the same, and to expend the funds raised thereby in the construction and maintenance of sidepaths for bicycles" (Int. No. 457), having been announced for a third reading,

On motion of Mr. Hutton, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 211) entitled "An act to authorize the county judge of Oneida county to appoint a board of sidepath commissioners within said county, with power to license the use of the bicycle therein and to expend the funds raised thereby in the construction and maintenance of sidepaths for bicycles" (Int. No. 211), having been announced for a third reading,

On motion of Mr. Martin, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1253) entitled "An act to amend the Public Health Law, relating to burials and burial permits" (Int. No. 1064), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hatch	Miles	Schmid F
Alders	De Graw	Hays	Mohring	Schoeneck
Apgar	Delaney	Heller	Murphy	Sears
Axtell	Dillon	Henderson	O'Connell	Sharkey
Babcock	Doughty	Hill	O'Connor	Siems
Baker	Dutton	Hitchcock	Palmer	Slater
Ball	Egan	Hoffman	Paris	Sloane C A
Barrett	Evarts	Hutton	Patton	Sloane J J
Baum	Ellis	Juengst	Phillips	Smith J E
Bedell	Fallows	Kane	Pickett	Smith J T
Beede	Fancher	Kelley E E	Post	Snyder
Boland	Farrell	Kelly G T	Poth	Sprague
Brennan J F	Finn	Kelsey	Redington	Stoneman
Brewster	Fish	Kullman	Riedman	Streifler
Brown	Fitzgerald	Lewis M E	Rierdon	Sullivan T P
Bryan	Fordyce	Lewis T D	Roberts	Sullivan W J
Bulkley	Fowler	Litchard	Roche	Thorn
Burnett	Gale	Maher	Rodenbeck	Torborg
Cain	Gallagher	Mangin	Rogers	Trainor
Clark	Gleason	Martin	Rowe	Tripp
Collins	Gould	Mason	Russell	Vincent
Costello	Graham	Mazet	Sabine	Ware
Cottle	Green	McEwan	Sage H M	West
Cotton	Greenwood	McInerney	Sage S B	Whipple
Coughtry	Grossman	McKeown	Sanders	Wilson
Cowles	Guider	McMillan	Sandford	Wingenfeld
Cross	Hallock	Meister	Sands	Wissel
Darrison	Harburger	Meyer	Schmid A F	Witter
Davis				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1147) entitled "An act to extend the time of the Batavia and Northern Railroad Company to begin the construction of its road, and to expend thereon 10 per cent. of the amount of its capital, and to finish its road and put it in operation" (Int. No. 983), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in facor thereof, and three-fifths being present.

{ AYES 133 }
 { NOES 00 }

Those who voted in the affirmative were

Adler	Davis	Hallock	Miles	Schoeneck
Allds	De Graw	Harburger	Mohring	Sears
Apgar	Delaney	Hatch	Murphy	Sharkey
Axtell	Dillon	Hays	O'Connell	Siems
Babcock	Doughty	Heller	O'Connor	Sloane C A
Baker	Dutton	Henry	Palmer	Sloane J J
Ball	Egan	Hill	Paris	Smith J T
Bashford	Ellis	Hoffman	Patton	Smith J E
Baum	Evarts	Hutton	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Sullivan T P
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan W J
Brewster	Fish	Kelsey	Roberts	Ten Eyck
Bryan	Fitzgerald	Kullman	Roche	Thorn
Bulkley	Fordyce	Lewis M E	Rodenbeck	Torborg
Cain	Fowler	Lewis T D	Rogers	Trainor
Clark	Gale	Maher	Rowe	Tripp
Collier	Gallagher	Mangin	Russell	Vincent
Collins	Gardiner	Martin	Sabine	Ware
Costello	Gleason	Mazet	Sage S B	West
Cottle	Gould	McEwan	Sanders	Whipple
Cotton	Graham	McInerney	Sandford	Wilson
Coughtry	Green	McKeown	Sands	Wingenfeld
Cowles	Greenwood	McMillan	Sawyer	Wissel
Cross	Grossman	Meister	Schmid F	Witter
Darrison	Guider	Meyer		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 613) entitled "An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof" (Int. No. 573), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	McMillan	Schmid A F
Allds	Davis	Hays	Meister	Schoeneck
Apgar	Dean	Heller	Meyer	Sears
Axtell	De Graw	Henderson	Miles	Sharkey
Babcock	Delaney	Henry	Mohring	Siems
Baker	Dillon	Hill	Murphy	Slater
Ball	Doughty	Hitchcock	O'Connell	Sloane C A
Barrett	Dutton	Hoffman	O'Connor	Sloane J J
Bashford	Ellis	Hutton	Paris	Smith J T
Baum	Evarts	Johnson	Patton	Snyder
Bedell	Fancher	Juengst	Phillips	Sprague
Beede	Farrell	Kane	Post	Stoneman
Boland	Fish	Kelley E E	Poth	Sullivan T P
Brennan E C	Fitzgerald	Kelly G T	Redington	Sullivan W J
Brennan J F	Fordyce	Kelsey	Riedman	Ten Eyck
Brewster	Fowler	Kullman	Rierdon	Thorn
Brown	Gale	Lewis M E	Roche	Torborg
Bryan	Gardiner	Lewis T D	Rodenbeck	Trainor
Burnett	Gleason	Litchard	Rogers	Tripp
Cain	Gould	Maher	Rowe	Vincent
Clark	Graham	Mangin	Russell	Ware
Collier	Green	Martin	Sabine	Whipple
Collins	Greenwood	Mason	Sage S B	Wilson
Costello	Grossman	Mazet	Sanders	Wingenfeld
Cottle	Guider	McEwan	Sandford	Wissel
Cotton	Hallock	McInerney	Sands	Witter
Coughtry	Harburger	McKeown	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1059) entitled "An act requiring the county of Ulster to pay a portion of the expense of a free bridge heretofore constructed in the town of Marbletown, in such county" (Int. No. 926), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Schmid A F
Allds	Cross	Hallock	Meyer	Schmid F
Apgar	Darrison	Hatch	Miles	Schoeneck
Axtell	Davis	Hays	Mohring	Sharkey
Babcock	Dean	Heller	Murphy	Siems
Baker	De Graw	Henderson	O'Connell	Slater
Ball	Delaney	Henry	O'Connor	Sloane C A
Barrett	Dillon	Hill	Palmer	Sloane J J
Bashford	Doughty	Hitchcock	Paris	Smith J E
Baum	Dutton	Hoffman	Patton	Smith J T
Bedell	Egan	Johnson	Phillips	Sprague
Beede	Evarts	Juengst	Post	Stoneman
Brennan E O	Fallows	Kane	Poth	Streifler
Brennan J F	Fancher	Kelly G T	Redington	Sullivan T P
Brewster	Farrell	Kelsey	Riedman	Sullivan W J
Brown	Finn	Kullman	Rierdon	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Roberts	Thorn
Bulkley	Fordyce	Lewis T D	Roche	Torborg
Burnett	Fowler	Maher	Rodenbeck	Tripp
Cain	Gale	Mangin	Rogers	Vincent
Clark	Gallagher	Martin	Rowe	Ware
Collier	Gardiner	Mason	Russell	West
Collins	Gleason	Mazet	Sage H M	Whipple
Costello	Gould	McEwan	Sage S B	Wilson
Cottle	Graham	McInerney	Sanders	Wingenfeld
Cotton	Green	McKeown	Sands	Wissel
Coughtry	Grossman	McMillan	Sawyer	Witter

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1373) entitled "An act in relation to the board of supervisors of the county of Queens" (Int. No. 1116), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meister	Schmid A F
Alds	Cowles	Guider	Meyer	Schmid F
Apgar	Cross	Hallock	Miles	Sears
Axtell	Darrison	Harburger	Mohring	Sharkey
Babcock	Davis	Hatch	Murphy	Siems
Baker	Dean	Hays	O'Connor	Slater
Ball	De Graw	Henderson	Palmer	Sloane C A
Barrett	Delaney	Henry	Paris	Sloane J J
Bashford	Doughty	Hill	Patton	Smith J E
Baum	Dutton	Hoffman	Pickett	Smith J T
Bedell	Egan	Hutton	Post	Sawyer
Beede	Evarts	Johnson	Poth	Sprague
Boland	Fallows	Kane	Redington	Stoneman
Brennan E C	Fancher	Kelley E E	Rierdon	Streifer
Brennan J F	Farrell	Kelly G T	Roberts	Sullivan W J
Brewster	Finn	Kelsey	Roche	Ten Eyck
Brown	Fitzgerald	Kullman	Rodenbeck	Thorn
Bryan	Fordyce	Lewis T D	Rogers	Trainor
Bulkley	Fowler	Lewis M E	Rowe	Tripp
Burnett	Gale	Litchard	Russell	Vincent
Cain	Gallagher	Maher	Sabine	Ware
Clark	Gardiner	Martin	Sage S B	West
Collier	Gould	Mazet	Sage H M	Whipple
Collins	Graham	McEwan	Sandford	Wingenfeld
Costello	Green	McInerney	Sands	Wissel
Cottle	Greenwood	McMillan	Sawyer	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 693) entitled "An act to amend the County Law relating to powers of boards of supervisors with reference to tires on vehicles" (Int. No. 647), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 3 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Schmid F
Allds	Cross	Hallock	Meyer	Schoeneck
Apgar	Davis	Harburger	Miles	Sears
Axtell	Dean	Hatch	Mohring	Sharkey
Babcock	De Graw	Heller	Murphy	Siems
Baker	Delaney	Henderson	O'Connell	Sloane C A
Ball	Doughty	Henry	O'Connor	Sloane J J
Barrett	Dutton	Hill	Palmer	Smith J E
Bashford	Egan	Hoffman	Patton	Smith J T
Baum	Ellis	Hutton	Phillips	Snyder
Bedell	Evarts	Johnson	Pickett	Sprague
Beede	Fancher	Juengst	Post	Stoneman
Boland	Fallows	Kane	Poth	Streifler
Brennan E O	Farrell	Kelley E E	Redington	Sullivan W J
Brennan J F	Finn	Kelly G T	Riedman	Ten Eyck
Brewster	Fish	Kelsey	Rierdon	Thorn
Brown	Fitzgerald	Kullman	Roberts	Torborg
Bryan	Fordyce	Lewis M E	Roche	Trainor
Bulkley	Fowler	Lewis T D	Rodenbeck	Tripp
Burnett	Gale	Maher	Rogers	Vincent
Cain	Gallagher	Mangin	Rowe	Ware
Clark	Gardiner	Martin	Russell	West
Collier	Gleason	Mason	Sage H M	Whipple
Collins	Gould	McEwan	Sage S B	Wilson
Costello	Graham	McInerney	Sanders	Wingenfeldd
Cottle	Green	McKeown	Sandford	Wissel
Cotton	Greenwood	McMillan	Sawyer	Witter
Coughtry				

Those who voted in the negative, were

Litchard Paris Sands

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1280) entitled "An act to authorize the board of supervisors in any county where proceedings have been instituted

under the provisions of chapter 493 of the Laws of 1892, entitled 'An act to provide for the construction of highways and bridges upon highways running through two or more towns of the same county' to investigate the affairs and conduct of commissioners appointed under said act" (Int. No. 1067), having been announced for a third reading,

On motion of Mr. Apgar, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1167) entitled "An act to permit a highway to be laid out in the Ravena road district, in the town of Coeymans, in the county of Albany, not less than 30 feet wide in the narrowest part and 40 feet wide in the widest part of such highway" (Int. No. 998), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Mohring	Schoeneck
Allds	Cross	Guider	Murphy	Sears
Apgar	Darrison	Hallock	O'Connell	Sharkey
Axtell	Davis	Harburger	O'Connor	Siems
Babcock	Dean	Hays	Palmer	Slater
Baker	De Graw	Heller	Paris	Sloane C A
Ball	Delaney	Henderson	Phillips	Sloane J J
Barrett	Dillon	Hill	Pickett	Smith J E
Bashford	Doughty	Hitchcock	Post	Smith J T
Baum	Dutton	Hutton	Poth	Snyder
Bedell	Egan	Johnson	Redington	Sprague
Beede	Evarts	Kane	Riedman	Stoneman
Boland	Fallows	Kelsey	Rierdon	Streifer
Brennan E C	Fancher	Kullman	Roberts	Sullivan T P
Brennan J F	Farrell	Lewis M E	Rodenbeck	Sullivan W J
Brewster	Finn	Lewis T D	Rogers	Ten Eyck
Brown	Fish	Litchard	Rowe	Thorn

Bryan	Fitzgerald	Maher	Russell	Torborg
Buckley	Fordyce	Mangin	Sabine	Trainor
Burnett	Fowler	Martin	Sage H M	Vincent
Cain	Gale	Mason	Sage S B	Ware
Clark	Gallagher	Mazet	Sanders	West
Collier	Gardiner	McEwan	Sandford	Whipple
Collins	Gleason	McKeown	Sands	Wilson
Costello	Gould	McMillan	Sawyer	Wingenfeld
Cottle	Graham	Meister	Schmid A F	Wissel
Cotton	Green	Meyer	Schmid F	Witter
Coughtry	Greenwood	Miles		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1279) entitled "An act to amend chapter 76 of the Laws of 1869, entitled 'An act in confirmation of the vote of the electors of the town of Hempstead, Queens county, in relation to the public cemetery, and extending the grounds of said cemetery'" (Int. No. 1066), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 00. }

Those who voted in the affirmative, were

Adler	Davis	Hatch	Meyer	Sawyer
Allds	Dean	Hays	Miles	Schmid A F
Apgar	De Graw	Heller	Mohring	Schmid F
Axtell	Delaney	Henderson	Murphy	Sears
Babcock	Dillon	Henry	O'Connell	Sharkey
Baker	Doughty	Hill	O'Connor	Siems
Ball	Dutton	Hitchcock	Palmer	Slater
Barrett	Egan	Hoffman	Paris	Sloane C A
Bashford	Ellis	Hutton	Patton	Sloane J J
Baum	Evarts	Johnson	Phillips	Smith J E
Bedell	Fallows	Juengst	Pickett	Smith J T
Beede	Fancher	Kane	Post	Snyder
Boland	Farrell	Kelley E E	Poth	Sprague
Brennan E O	Finn	Kelly G T	Redington	Stoneman

Brennan J F	Fish	Kelsey	Riedman	Streifler
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brown	Fordyce	Lewis M E	Roberts	Sullivan W J
Bryan	Fowler	Lewis T D	Roche	Thorn
Bulkley	Gale	Litchard	Rodenbeck	Torborg
Burnett	Gallagher	Maher	Rogers	Trainor
Cain	Gardiner	Mangin	Rowe	Tripp
Clark	Gleason	Martin	Russell	Vincent
Collier	Gould	Mason	Sabine	West
Collins	Graham	Mazet	Sage H M	Whipple
Cottle	Green	McEwan	Sage S B	Wilson
Cotton	Greenwood	McInerney	Sanders	Wingenfeld
Coughtry	Grossman	McKeown	Sandford	Wissel
Cowles	Hallock	McMillan	Sands	Witter
Darrison	Harburger	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 799) entitled "An act to legalize the official action of Frank Davis, former sole commissioner of highways of the town of Rotterdam, Schenectady county and to authorize the issue of bonds for the payment of indebtedness by him incurred" (Int. No. 734), having been announced for a third reading,

On motion of Mr. McMillan, said bill was laid aside, retaining its place on the order of third reading.

Mr. Kelsey in the chair.

The bill (No. 1292) entitled "An act to legalize, ratify and confirm the recording in the office of the county of Westchester of a certain deed from Edward Kelly to Hugh Duffy" (Int. No. 1079), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Meyer	Schoeneck
Allds	Cross	Hatch	Miles	Sears
Apgar	Darrison	Hays	Mohring	Sharkey

Axtell	Davis	Heller	Murphy	Siems
Babcock	Dean	Henderson	O'Connell	Slater
Baker	De Graw	Henry	O'Connor	Sloan C A
Ball	Delaney	Hill	Palmer	Sloane J J
Barrett	Dillon	Hitchcock	Paris	Smith J E
Bashford	Doughty	Hoffman	Patton	Smith J T
Baum	Egan	Johnson	Phillips	Snyder
Bedell	Ellis	Juengst	Pickett	Sprague
Beede	Evarts	Kane	Post	Stoneman
Boland	Fallows	Kelly E E	Poth	Streifler
Brennan E C	Fancher	Kelsey	Redington	Sullivan T P
Brennan J F	Farrell	Kullman	Riedman	Sullivan W J
Brewster	Finn	Lewis M E	Roberts	Ten Eyck
Brown	Fish	Lewis T D	Roche	Thorn
Bryan	Fitzgerald	Litchard	Rogers	Trainor
Bulkley	Fordyce	Maher	Rowe	Tripp
Burnett	Fowler	Mangin	Russell	Vincent
Cain	Gallagher	Martin	Sabine	Ware
Clark	Gardiner	Mason	Sage S B	West
Collier	Gleason	Mazet	Sanders	Whipple
Collins	Gould	McEwan	Sandford	Wilson
Costello	Green	McInerney	Sands	Wingenfeld
Cottle	Greenwood	McKeown	Sawyer	Wissel
Cotton	Grossman	McMillan	Schmid A F	Witter
Coughtry	Guider	Meister	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 39) entitled "An act relating to the proof and authentication of conveyances, wills, letters testamentary of administration and of guardianship and of other records executed or made within the islands of Cuba, Porto Rico, Guam, the Phillipine Islands and the Islands of Hawaii" (Int. No. 39), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Schmid A F
Allds	Cross	Guider	McMillan	Schmid F
Apgar	Darrison	Hallock	Meister	Schoeneck
Axtell	Davis	Harburger	Meyer	Sears
Babcock	Dean	Hatch	Miles	Siems
Baker	DeGraw	Hays	Mohring	Sloane C A
Ball	Delaney	Heller	Murphy	Sloane J J
Barrett	Dillon	Henderson	O'Connell	Smith J E
Bashford	Doughty	Henry	O'Connor	Smith J T
Baum	Dutton	Hill	Palmer	Snyder
Bedell	Egan	Hitchcock	Patton	Sprague
Beede	Ellis	Hoffman	Phillips	Stoneman
Boland	Evarts	Hutton	Pickett	Streifler
Brennan E	CFallows	Johnson	Post	Sullivan T P
Brennan J	FFancher	Juengst	Poth	Sullivan W J
Brewster	Farrell	Kane	Redington	Ten Eyck
Brown	Finn	Kelly G T	Riedman	Thorn
Bryan	Fish	Kelsey	Rierdon	Torborg
Bulkley	Fitzgerald	Kullman	Roberts	Trainor
Burnett	Fordyce	Lewis M E	Rodenbeck	Tripp
Cain	Fowler	Lewis T D	Rowe	Vincent
Clark	Gale	Litchard	Russell	Ware
Collier	Gallagher	Maher	Sabine	West
Collins	Gardiner	Mangin	Sage H M	Whipple
Costello	Gleason	Martin	Sage S B	Wilson
Cottle	Gould	Mason	Sanders	Wingenfeld
Cotton	Graham	Mazet	Sandford	Wissel
Coughtry	Green	McEwan	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 36) entitled "An act to authorize the city of Buffalo to erect a pumping station upon park lands in said city" (Int. No. 36), was read the third time, having printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Meyer	Schmid F
Allds	Cross	Hallock	Miles	Schoeneck
Apgar	Darrison	Harburger	Mohring	Sears
Axtell	Davis	Hatch	Murphy	Siema
Babcock	Dean	Hays	O'Connell	Slater
Baker	De Graw	Heller	Palmer	Sloane C A
Ball	Delaney	Henderson	Paris	Sloane J J
Barrett	Dillon	Henry	Patton	Smith J E
Bashford	Doughty	Hill	Phillips	Smith J T
Baum	Dutton	Hitchcock	Pickett	Snyder
Bedell	Egan	Hutton	Post	Sprague
Beede	Ellis	Johnson	Poth	Stoneman
Boland	Evarts	Juengst	Redington	Streifler
Brennan E C	Fallows	Kane	Rierdon	Sullivan T P
Brennan J F	Fancher	Kelley E E	Roberts	Sullivan W J
Brewster	Farrell	Kelly G T	Roche	Ten Eyck
Brown	Finn	Kelsey	Rodenbeck	Thorn
Bryan	Fish	Kullman	Rogers	Torborg
Bulkley	Fitzgerald	Lewis M E	Rowe	Trainor
Burnett	Fordyce	Lewis T D	Russell	Tripp
Cain	Fowler	Litchard	Sabine	Vincent
Clark	Gallagher	Maher	Sage H M	Ware
Collier	Gardiner	Martin	Sage S B	West
Collins	Gleason	Mason	Sanders	Whipple
Costello	Gould	Mazet	Sandford	Wilson
Cottle	Graham	McInerney	Sands	Wingenfeld
Cotton	Green	McMillan	Sawyer	Wissel
Coughtry	Greenwood	Meister	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1400) entitled "An act to amend the charter of the city of Rochester and to extend its boundaries" (Int. No. 1143), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	Meister	Schmid A F
Allds	Darrison	Hays	Meyer	Schmid F
Apgar	Davis	Heller	Miles	Schoeneck
Axtell	De Graw	Henderson	Mohring	Sears
Babcock	Delaney	Henry	Murphy	Sharkey
Baker	Dillon	Hill	O'Connell	Siems
Ball	Doughty	Hitchcock	O'Connor	Slater
Barrett	Dutton	Hoffman	Palmer	Sloane J J
Bashford	Ellis	Hutton	Paris	Smith J E
Baum	Evarts	Johnson	Patton	Smith J T
Bedell	Fancher	Juengst	Phillips	Snyder
Beede	Farrell	Kane	Pickett	Sprague
Boland	Finn	Kelley E E	Post	Stoneman
Brennan E C	Fish	Kelly G T	Poth	Streifler
Brennan J F	Fitzgerald	Kelsey	Redington	Sullivan T P
Brewster	Fowler	Kullman	Rierdon	Sullivan W J
Brown	Gale	Lewis M E	Roberts	Ten Eyck
Bryan	Gallagher	Lewis T D	Roche	Thorn
Bulkley	Gardiner	Litchard	Rodenbeck	Torborg
Burnett	Gleason	Maher	Rogers	Trainor
Cain	Gould	Mangin	Rowe	Tripp
Clark	Graham	Martin	Russell	Vincent
Collier	Green	Mason	Sabine	Ware
Collins	Greenwood	Mazet	Sage H M	Whipple
Costello	Grossman	McEwan	Sage S B	Wilson
Cottle	Guider	McInerney	Sandford	Wingenfeld
Cotton	Hallock	McKeown	Sands	Wissel
Coughtry	Harburger	McMillan	Sawyer	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 525) entitled "An act to prevent discrimination by street car and elevated railroad corporations against persons carrying receptacles for tools" (Int. No. 498), having been announced for a third reading,

Mr. Trainor moved that said bill be recommitted to the committee on railroads, retaining its place on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 2 }
{ NOES 85 }

Those who voted in the affirmative, were

Clark Ten Eyck

Those who voted in the negative, were

Adler	Collins	Green	McMillan	Sanders
Allds	Costello	Grossman	Meyer	Sands
Apgar	Cotton	Guider	O'Connell	Schmid A F
Axtell	Coughtry	Harburger	O'Connor	Schoeneck
Babcock	Cowles	Hatch	Palmer	Siems
Ball	Cross	Hays	Phillips	Slater
Barrett	Darrison	Heller	Pickett	Sloane J J
Bashford	Dean	Hill	Post	Smith J E
Beede	De Graw	Hoffman	Poth	Sprague
Boland	Doughty	Juengst	Redington	Stoneman
Brennan E C	Egan	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Torborg
Brown	Fish	Maher	Roche	Tripp
Bulkley	Gale	Mangin	Rowe	Vincent
Burnett	Gardiner	Martin	Russell	Ware
Cain	Gleason	McInerney	Sabine	Wilson
Collier	Gould	McKeown	Sage S B	Wissel

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 149 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears
Axtell	De Graw	Heller	Murphy	Sharkey
Babcock	Delaney	Henderson	O'Connell	Siems

Baker	Dillon	Henry	O'Connor	Slater
Ball	Doughty	Hill	Palmer	Sloane C A
Barrett	Dutton	Hitchcock	Paris	Sloane J J
Bashford	Egan	Hoffman	Patton	Smith J E
Baum	Ellis	Hutton	Phillips	Smith J T
Bedell	Evarts	Johnson	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streifler
Brennan J F	Finn	Kelly G T	Riedman	Sullivan T P
Brewster	Fish	Kelsey	Rierdon	Sullivan W J
Brown	Fitzgerald	Kullman	Roberts	Ten Eyek
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Lewis T D	Rodenbeck	Torborg
Burnett	Gale	Litchard	Rogers	Trainor
Cain	Gallagher	Maher	Rowe	Tripp
Clark	Gardiner	Mangin	Russell	Vincent
Collier	Gleason	Martin	Sabine	Ware
Collins	Gould	Mason	Sage H M	West
Costello	Graham	Mazet	Sage S B	Whipple
Cottle	Green	McEwan	Sanders	Wilson
Cotton	Greenwood	McInerney	Sandford	Wingenfeld
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross	Hallock	Meister	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1165) entitled "An act to repeal chapter 672 of the Laws of 1897" (Int. No. 996), having been announced for a third reading,

On motion of Mr. Bulkley, said bill was laid aside, and ordered stricken from the calendar.

The bill (No. 980) entitled "An act to enable the University of Michigan a corporation existing under the Constitution and Laws of the State of Michigan, to take, hold and convey real estate" (Int. No. 860), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McKeown	Sandford
Allds	Cross	Hallock	McMillan	Sands
Apgar	Darrison	Harburger	Meister	Sawyer
Axtell	Davis	Hatch	Meyer	Schmid A F
Babcock	De Graw	Heller	Miles	Schoeneck
Baker	Delaney	Henderson	Mohring	Sears
Ball	Dillon	Henry	Murphy	Sharkey
Basbford	Doughty	Hill	O'Connell	Siems
Baum	Dutton	Hitchcock	O'Connor	Sloane C A
Bedell	Ellis	Hoffman	Palmer	Sloane J J
Beede	Evarts	Johnson	Paris	Smith J E
Boland	Fallows	Juengst	Patton	Smith J T
Brennan E C	Fancher	Kane	Phillips	Snyder
Brennan J F	Farrell	Kelley E E	Post	Sprague
Brewster	Fish	Kelly G T	Poth	Streifler
Brown	Fitzgerald	Kelsey	Redington	Sullivan T P
Bryan	Fordyce	Kullman	Riedman	Sullivan W J
Bulkley	Fowler	Lewis M E	Rierdon	Thorn
Burnett	Gale	Lewis T D	Roberts	Torborg
Cain	Gallagher	Litchard	Roche	Trainor
Clark	Gardiner	Maher	Rodenbeck	Tripp
Collier	Gleason	Mangin	Rowe	Ware
Collins	Gould	Martin	Russell	West
Costello	Graham	Mason	Sabine	Whipple
Cotton	Greenwood	Mazet	Sage H M	Wingenfeld
Coughtry	Grossman	McEwan	Sage S B	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1396) entitled "An act to amend chapter 212 of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws'" (Int. No. 1139), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McKeown	Sawyer
Allds	Cross	Harburger	McMillan	Schmid A F
Apgar	Darrison	Hatch	Meister	Schmid F
Axtell	Davis	Hays	Miles	Schoeneck
Babcock	Dean	Heller	Mohring	Sears
Baker	Delaney	Henderson	Murphy	Sharkey
Ball	Dillon	Henry	O'Connell	Siems
Barrett	Doughty	Hill	O'Connor	Slater
Bashford	Dutton	Hitchcock	Palmer	Sloane J J
Baum	Egan	Hoffman	Paris	Smith J E
Bedell	Ellis	Hutton	Patton	Smith J T
Beede	Evarts	Johnson	Phillips	Snyder
Boland	Fallows	Juengst	Pickett	Sprague
Brennan E C	Fancher	Kane	Post	Stoneman
Brennan J F	Farrell	Kelley E E	Poth	Sullivan T P
Brewster	Finn	Kelly G T	Redington	Sullivan W J
Brown	Fish	Kelsey	Riedman	Ten Eyck
Bryan	Fitzgerald	Kullman	Rierdon	Thorn
Bulkley	Fordyce	Lewis M E	Roberts	Torborg
Burnett	Gale	Lewis T D	Roche	Trainor
Cain	Gallagher	Litchard	Rodenbeck	Tripp
Clark	Gardiner	Maher	Rowe	Vincent
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Wilson
Cottle	Greenwood	Mazet	Sage S B	Wingenfeld
Cotton	Grossman	McEwan	Sanders	Wissel
Coughtry	Guider	McInerney	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 770) entitled "An act to amend the Code of Civil Procedure, relating to shares of unknown and absent owners in actions for partition" (Int. No. 705), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hallock	Meyer	Schmid A F
Allds	Dean	Harburger	Miles	Schmid F
Apgar	De Graw	Hatch	Mohring	Schoeneck
Axtell	Delaney	Hays	Murphy	Sears
Babcock	Dillon	Heller	O'Connor	Sharkey
Baker	Doughty	Henderson	O'Connell	Siems
Ball	Dutton	Henry	Palmer	Slater
Barrett	Egan	Hill	Paris	Sloane C A
Bashford	Ellis	Hitchcock	Patton	Sloane J J
Baum	Evarts	Hoffman	Phillips	Smith J E
Bedell	Fallows	Hutton	Pickett	Smith J T
Beede	Fancher	Juengst	Post	Sprague
Boland	Farrell	Kane	Poth	Stoneman
Brennan E C	Finn	Kelley E E	Redington	Streifler
Brennan J F	Fish	Kelly G T	Riedman	Sullivan T P
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan W J
Brown	Fordyce	Lewis M E	Roberts	Ten Eyck
Bryan	Fowler	Lewis T D	Roche	Thorn
Bulkley	Gale	Litchard	Rodenbeck	Torborg
Burnett	Gallagher	Maher	Rogers	Trainor
Cain	Gardiner	Mangin	Rowe	Tripp
Clark	Gleason	Martin	Russell	Vincent
Collier	Gould	Mason	Sabine	Ware
Collins	Graham	Mazet	Sage H M	West
Cottle	Green	McEwan	Sage S B	Whipple
Cotton	Greenwood	McInerney	Sanders	Wilson
Coughtry	Grossman	McKeown	Sandford	Wingenfeld
Cowles	Guider	Meister	Sawyer	Wissel
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1382) entitled "An act to extend the time of the Newtown and Flushing Canal Company to begin the construction of its canal and work and to complete the same" (Int. No. 1125), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in

the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meister	Schmid A F
Allds	Darrison	Hatch	Meyer	Schmid F
Apgar	Davis	Hays	Miles	Schoeneck
Axtell	Dean	Heller	Mohring	Sharkey
Babcock	Delaney	Henderson	Murphy	Siems
Baker	Dillon	Henry	O'Connell	Slater
Ball	Doughty	Hill	O'Connor	Sloane J J
Barrett	Dutton	Hitchcock	Palmer	Smith J E
Bashford	Egan	Hoffman	Paris	Smith J T
Baum	Ellis	Hutton	Patton	Snyder
Bedell	Evarts	Johnson	Phillips	Sprague
Beede	Fallows	Juengst	Pickett	Stoneman
Boland	Fancher	Kane	Post	Streifler
Brennan E C	Farrell	Kelley E E	Poth	Sullivan T P
Brennan J F	Fish	Kelly G T	Redington	Sullivan W J
Brewster	Fitzgerald	Kelsey	Riedman	Ten Eyck
Brown	Fordyce	Kullman	Rierdon	Thorn
Bryan	Fowler	Lewis M E	Roberts	Torborg
Bulkley	Gale	Lewis T D	Roche	Trainor
Burnett	Gallagher	Litchard	Rodenbeck	Tripp
Cain	Gardiner	Maher	Rogers	Vincent
Clark	Gleason	Mangin	Rowe	Ware
Collier	Gould	Martin	Russell	West
Collins	Graham	Mason	Sabine	Whipple
Costello	Green	Mazet	Sage H M	Wilson
Cottle	Greenwood	McEwan	Sage S B	Wigenfeld
Cotton	Grossman	McInerney	Sanders	Wissel
Coughtry	Guider	McKeown	Sands	Witter
Cowles	Hallock	McMillan	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1369) entitled "An act to amend section 3253 of the Code of Civil Procedure, relating to allowances of costs" (Int. No. 1112), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Meister	Schoeneck
Allds	Cross	Grossman	Meyer	Sears
Apgar	Darrison	Guider	Miles	Sharkey
Axtell	Davis	Hallock	Mohring	Siems
Babcock	Dean	Harburger	Murphy	Slater
Baker	De Graw	Hatch	O'Connell	Sloane C A
Ball	Delaney	Hays	O'Connor	Sloane J J
Barrett	Dillon	Heller	Palmer	Smith J E
Bashford	Doughty	Henderson	Paris	Smith J T
Baum	Dutton	Henry	Patton	Snyder
Bedell	Egan	Hill	Phillips	Sprague
Beede	Ellis	Hitchcock	Pickett	Stoneman
Boland	Evarts	Hoffman	Post	Streifler
Brennan E C	Fallows	Johnson	Poth	Sullivan T P
Brennan J F	Fancher	Kane	Redington	Sullivan W J
Brewster	Farrell	Kelsey	Riedman	Ten Eyck
Brown	Finn	Kullman	Rierdon	Thorn
Bryan	Fish	Lewis M E	Roche	Torborg
Bulkley	Fitzgerald	Lewis T D	Rodenbeck	Trainor
Burnett	Fordyce	Litchard	Rogers	Tripp
Cain	Fowler	Maher	Rowe	Vincent
Clark	Gale	Martin	Russell	Ware
Collier	Gallagher	Mason	Sage H M	West
Collins	Gardiner	Mazet	Sage S B	Whipple
Costello	Gleason	McEwan	Sanders	Wilson
Cottle	Gould	McInerney	Sands	Wingenfeld
Cotton	Graham	McKeown	Schmid A F	Wissel
Coughtry	Green	McMillan	Schmid F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1183) entitled "An act to amend the Poor Law, in relation to appeals to the appellate division" (Int. No. 1014), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Meyer	Schoeneck
Allds	Cross	Guider	Miles	Sears
Apgar	Darrison	Hallock	Murphy	Sharkey
Axtell	Davis	Harburger	O'Connell	Siems
Babcock	De Graw	Hatch	O'Connor	Sloane C A
Baker	Delaney	Hays	Palmer	Sloane J J
Ball	Dillon	Heller	Paris	Smith J E
Barrett	Doughty	Henderson	Patton	Smith J T
Bashford	Dutton	Henry	Phillips	Snyder
Baum	Egan	Hill	Pickett	Sprague
Bedell	Ellis	Hutton	Post	Stoneman
Beede	Evarts	Juengst	Poth	Streifler
Boland	Fallows	Kelley E E	Redington	Sullivan T P
Brennan E C	Fancher	Kelsey	Riedman	Sullivan W J
Brennan J F	Farrell	Kullman	Rierdon	Ten Eyck
Brewster	Finn	Lewis M E	Roberts	Thorn
Brown	Fish	Lewis T D	Rodenbeck	Torborg
Bryan	Fitzgerald	Litchard	Rogers	Trainor
Bulkley	Fordyce	Maher	Russell	Tripp
Burnett	Fowler	Mangin	Sabine	Vincent
Cain	Gale	Martin	Sage H M	Ware
Clark	Gallagher	Mason	Sage S B	West
Collier	Gardiner	Mazet	Sanders	Whipple
Collins	Gleason	McEwan	Sandford	Wilson
Costello	Gould	McInerney	Sands	Wingenfeld
Cottle	Graham	McKeown	Sawyer	Wissel
Cotton	Green	McMillan	Schmid A F	Witter
Coughtry	Greenwood	Meister	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1151) entitled "An act authorizing boards of supervisors to acquire the rights, franchises and property of individuals and corporations exacting toll for the use of turnpikes, plank roads and bridges" (Int. No. 987), was read the third time, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES. 00 }

Those who voted in the affirmative, were

Alder	Darrison	Guider	Murphy	Schoeneck
Allds	Davis	Harburger	O'Connell	Sears
Apgar	Dean	Hays	O'Connor	Siems
Axtell	DeGraw	Heller	Palmer	Slater
Babcock	Delaney	Henry	Paris	Sloane C A
Baker	Dillon	Hill	Patton	Sloane J J
Barrett	Doughty	Hoffman	Phillips	Smith J E
Bashford	Dutton	Johnson	Pickett	Smith J T
Baum	Egan	Kane	Post	Snyder
Bedell	Ellis	Kelley E E	Poth	Sprague
Beede	Evarts	Kelly G T	Redington	Stoneman
Brennan E C	Fallows	Kelsey	Reidman	Streifler
Brennan J F	Fancher	Kullman	Rierdon	Sullivan T P
Brewster	Farrell	Lewis M E	Roberts	Sullivan W J
Brown	Finn	Lewis T D	Roche	Ten Eyck
Bryan	Fish	Litchard	Rodenbeck	Thorn
Bulkley	Fitzgerald	Maher	Rogers	Torborg
Burnett	Fordyce	Mangin	Rowe	Trainor
Cain	Fowler	Mason	Russell	Tripp
Clark	Gale	Mazet	Sabine	Vincent
Collier	Gallagher	McEwan	Sage H M	Ware
Collins	Gardiner	McKeown	Sanders	West
Costello	Gleason	McMillan	Sandford	Whipple
Cottle	Gould	Meister	Sands	Wilson
Cotton	Graham	Meyer	Sawyer	Wingenfeld
Coughtry	Green	Miles	Schmid A F	Wissel
Cowles	Grossman	Mohring	Schmid F	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1153) entitled "An act to amend the Merbership Corporations Law, in relation to the collection of taxes assessed on

lot owners of cemetery corporations " (Int. No. 989), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sawyer
Allds	Darrison	Hallock	Meyer	Schmid A F
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Sharkey
Ball	Dillon	Henderson	O'Connor	Slater
Barrett	Doughty	Hill	Palmer	Sloane C A
Bashford	Dutton	Hitchcock	Paris	Sloane J J
Baum	Egan	Hutton	Patton	Smith J E
Bedell	Ellis	Johnson	Phillips	Smith J T
Beede	Evarts	Juengst	Pickett	Snyder
Boland	Fallows	Kelley E E	Post	Stoneman
Brennan E C	Fancher	Kelly G T	Poth	Streifler
Brennan J F	Farrell	Kelsey	Redington	Sullivan T P
Brewster	Finn	Kullman	Riedman	Sullivan W J
Brown	Fish	Lewis M E	Rierdon	Thorn
Bryan	Fitzgerald	Lewis T D	Roberts	Torborg
Bulkley	Fordyce	Litchard	Roche	Trainor
Burnett	Fowler	Maher	Rodenbeck	Tripp
Cain	Gale	Mangin	Rogers	Vincent
Clark	Gallagher	Martin	Rowe	Ware
Collier	Gardiner	Mason	Russell	West
Collins	Gould	Mazet	Sabine	Whipple
Costello	Graham	McEwan	Sage H M	Wilson
Cottle	Green	McInerney	Sage S B	Wingenfeld
Cotton	Greenwood	McKeown	Sanders	Wissel
Coughtry	Grossman	McMillan	Sands	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1142) entitled "An act to authorize the appointment of a transfer tax clerk by the surrogate of the county of Ulster, and to provide for his compensation" (Int. No. 978), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Collins	Greenwood	Pickett	Sharkey
Allds	Costello	Hallock	Post	Siems
Apgar	Cottle	Hatch	Poth	Slater
Axtell	Cotton	Henry	Redington	Sloane C A
Babcock	Coughtry	Hill	Riedman	Sloane J J
Baker	Cowles	Hitchcock	Rierdon	Smith J T
Ball	Cross	Johnson	Roberts	Snyder
Barrett	Darrison	Kelley E E	Rodenbeck	Sprague
Bashford	Davis	Kelsey	Rogers	Stoneman
Baum	De Graw	Lewis M E	Rowe	Sullivan T P
Bedell	Delaney	Lewis T D	Russell	Sullivan W J
Beede	Doughty	Litchard	Sabine	Ten Eyck
Boland	Dutton	Martin	Sage H M	Thorn
Brennan E C	Ellis	Mason	Sage S B	Torborg
Brennan J F	Evarts	Mazet	Sanders	Tripp
Brewster	Fallows	McEwan	Sandford	Vincent
Brown	Fancher	McMillan	Sands	Ware
Bryan	Fish	Miles	Sawyer	West
Bulkley	Fordyce	Murphy	Schmid A F	Wilson
Burnett	Fowler	Paris	Schmid F	Wingenfeld
Cain	Gardiner	Patton	Schoeneck	Wissel
Clark	Gleason	Phillips	Sears	Witter
Collier	Graham			

In the negative,

Palmer

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 272) entitled "An act to amend the Highway Law, in relation to cutting and destroying noxious weeds, briers and brush growing along the highway" (Int. No. 234), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	Meyer	Sawyer
Allds	Darrison	Guider	Miles	Schmid A F
Apgar	Davis	Hallock	Mohring	Schmid F
Axtell	Dean	Hatch	Murphy	Schoeneck
Babcock	DeGraw	Hays	O'Connor	Sears
Baker	Delaney	Henderson	O'Connell	Sharkey
Ball	Dillon	Henry	Palmer	Slater
Barrett	Doughty	Hitchcock	Paris	Sloane C A
Bashford	Dutton	Hutton	Patton	Sloane J J
Baum	Egan	Johnson	Phillips	Smith J E
Bedell	Ellis	Kane	Pickett	Snyder
Beede	Evarts	Kelley E E	Post	Sprague
Boland	Fallows	Kelly G T	Poth	Stoneman
Brennan E C	Fancher	Kelsey	Redington	Streifler
Brennan J F	Farrell	Kullman	Riedman	Sullivan T P
Brewster	Finn	Lewis M E	Rierdon	Ten Eyck
Brown	Fish	Lewis T D	Roberts	Thorn
Bryan	Fitzgerald	Maher	Roche	Torborg
Bulkley	Fordyce	Mangin	Rodenbeck	Trainor
Burnett	Fowler	Martin	Rogers	Tripp
Cain	Gale	Mason	Rowe	Vincent
Clark	Gallagher	Mazet	Russell	West
Collier	Gardiner	McEwan	Sabine	Whipple
Collins	Gleason	McInerney	Sage H M	Wilson
Costello	Gould	McKeown	Sage S B	Wingenfeld
Cottle	Graham	McMillan	Sandford	Wissel
Cotton	Green	Meister	Sands	Witter
Coughtry	Greenwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1130) entitled "An act to amend section 3140 of the Code of Civil Procedure, relating to docket books to be kept by justices of the peace" (Int. No. 966), was read the third time, having been printed and upon the desks if the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meyer	Schmid F
Allds	Darrison	Harburger	Miles	Schoeneck
Apgar	Davis	Hays	Mohring	Sears
Axtell	Dean	Heller	Murphy	Siems
Babcock	DeGraw	Henderson	O'Connell	Slater
Baker	Delaney	Henry	O'Connor	Sloane C A
Ball	Dillon	Hill	Palmer	Sloane J J
Barrett	Doughty	Hitchcock	Paris	Smith J E
Bashford	Dutton	Hoffman	Patton	Smith J T
Baum	Egan	Hutton	Phillips	Snyder
Bedell	Ellis	Johnson	Pickett	Sprague
Beede	Evarts	Jnengst	Post	Stoneman
Boland	Fallows	Kelley E E	Poth	Streifler
Brennan E	CFancher	Kelly G T	Redington	Sullivan T P
Brennan J	FFarrell	Kelsey	Riedman	Sullivan W J
Brewster	Finn	Kullman	Rierdon	Ten Eyck
Brown	Fish	Lewis M E	Roberts	Thorn
Bryan	Fitzgerald	Lewis T D	Roche	Torborg
Bulkeley	Fordyce	Litchard	Rodenbeck	Trainor
Burnett	Fowler	Maher	Rogers	Tripp
Cain	Gale	Mangin	Rowe	Vincent
Clark	Gallagher	Martin	Russell	Ware
Collier	Gardiner	Mason	Sage H M	West
Collins	Gleason	Mazet	Sage S B	Whipple
Costello	Gould	McEwan	Sanders	Wilson
Cottle	Graham	McInerney	Sandford	Wingenfeld
Cotton	Green	McKeown	Sands	Wissel
Coughtry	Greenwood	McMillan	Sawyer	Witter
Cowles	Grossman	Meister	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 539) entitled "An act to amend section 484 of the Code of Criminal Procedure, relative to power to remit fines and imprisonment in case of failure to pay fines" (Int. No. 512), having been announced for a third reading,

On motion of Mr. Collins, said bill was recommitted to the committee on codes, retaining its place on the order of third reading.

Mr. Fish moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adler	Coughtry	Green	Mason	Sage S B
Allds	Cowles	Grossman	Mazet	Sanders
Axtell	Cross	Hallock	McEwan	Sands
Babcock	Darrison	Harburger	McKeown	Sawyer
Ball	Davis	Hatch	McMillan	Schoeneck
Barrett	De Graw	Hays	Meister	Siems
Bashford	Delaney	Heller	Meyer	Slater
Baum	Dillon	Henderson	O'Connor	Sloane J J
Bedell	Doughty	Henry	Palmer	Smith J E
Beede	Dutton	Hill	Phillips	Smith J T
Brennan E C	Egan	Hitchcock	Pickett	Snyder
Brennan J F	Ellis	Hutton	Post	Sprague
Brewster	Evarts	Johnson	Redington	Ten Eyck
Brown	Fancher	Kelley E E	Riedman	Thorn
Bryan	Farrell	Kelly G T	Rierdon	Torborg
Bulkley	Fish	Kelsey	Roberts	Tripp
Burnett	Fitzgerald	Kullman	Rodenbeck	Vincent
Cain	Fordyce	Lewis M E	Rogers	Ware
Collier	Gale	Lewis T D	Rowe	West
Collins	Gallagher	Litchard	Russell	Whipple
Costello	Gleason	Maher	Sabine	Wilson
Cotton	Graham	Martin	Sage H M	Witter 110

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messers. Apgar and C. A. Sloane, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 258) entitled "An act to amend section 3169 of the Code of Civil Procedure, relative to warrants of attachment in the city court of The City of New York" (Int. No. 258), having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 82 }
{ NOES 50 }

Those who voted in the affirmative, were

Allds	Coughtry	Graham	Mazet	Sears
Apgar	Cowles	Greenwood	McEwan	Slater
Axtell	Cross	Hallock	McMillan	Sloane C A
Babcock	Darrison	Hatch	Paris	Smith J T
Bashford	Davis	Hays	Patton	Snyder
Bedell	DeGraw	Henry	Post	Sprague
Beede	Delaney	Hill	Roberts	Stoneman
Brennan E C	Doughty	Hitchcock	Rodenbeck	Ten Eyck
Brewster	Dutton	Johnson	Rogers	Thorn
Bryan	Ellis	Kelley E E	Rowe	Tripp
Bulkley	Evarts	Kelsey	Russell	Vincent
Burnett	Fallows	Lewis M E	Sabine	Ware
Clark	Fancher	Lewis T D	Sage H M	West
Collier	Fish	Litchard	Sandford	Whipple
Costello	Fordyce	Martin	Sands	Wilson
Cottle	Gardiner	Mason	Sawyer	Witter
Cotton	Gleason			

Those who voted in the negative, were

Ball	Farrell	Hoffman	O'Connell	Sanders
Barrett	Finn	Hutton	O'Connor	Schoeneck
Baum	Fitzgerald	Juengst	Palmer	Siems
Boland	Gale	Kane	Phillips	Sloane J J
Brennan J F	Gallagher	Kelly G T	Pickett	Smith J E
Cain	Grossman	Maher	Poth	Streifler
Collins	Guider	McInerney	Riedman	Sullivan T P
Dean	Harburger	McKeown	Rierdon	Sullivan W J
Dillon	Heller	Meister	Roche	Torborg
Egan	Henderson	Meyer	Sage S B	Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 597) entitled "An act to amend chapter 218 of the Laws of 1874, entitled 'An act to amend, revise and consolidate the Laws in relation to the village of Seneca Falls in the county of Seneca'" (Rec. No. 89), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 3 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	McMillan	Schmid F
Allds	Davis	Hallock	Meister	Schoeneck
Apgar	Dean	Harburger	Meyer	Sears
Axtell	DeGraw	Hatch	Miles	Sharkey
Babcock	Delaney	Hays	Murphy	Siems
Baker	Dillon	Henderson	O'Connell	Slater
Ball	Doughton	Henry	O'Connor	Sloane J J
Barrett	Dutton	Hill	Paris	Smith J E
Bashford	Egan	Hitchcock	Patton	Smith J T
Baum	Ellis	Hoffman	Phillips	Snyder
Bedell	Evarts	Hutton	Pickett	Sprague
Beede	Fallows	Johnson	Post	Stoneman
Boland	Fancher	Kane	Poth	Streifler
Brennan E C	Farrell	Kelley E E	Redington	Sullivan T P
Brennan J F	Finn	Kelly G T	Riedman	Sullivan W J

Brewster	Fish	Kelsey	Rierdon	Ten Eyck
Brown	Fitzgerald	Kullman	Roberts	Thorn
Bryan	Fordyce	Lewis M E	Roche	Torborg
Burnett	Fowler	Lewis T D	Rodenbeck	Trainor
Cain	Gale	Litchard	Rogers	Vincent
Collier	Gallagher	Maher	Rowe	Ware
Collins	Gardiner	Mangin	Russell	West
Costello	Gleason	Martin	Sabine	Whipple
Cotton	Graham	Mazet	Sage S B	Wilson
Coughtry	Green	McEwan	Sanders	Wissel
Cowles	Greenwood	Meinerney	Sands	Witter
Cross	Grossman	McKeown	Sawyer	

Those who voted in the negative, were

Gould	Heller	Palmer
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Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 462) entitled " An act to permit the board of supervisors in the county of Nassau to provide for the keeping open of the offices of the clerks of said towns and to provide for compensation therefor; and to legalize and confirm the acts of said town boards in heretofore auditing and allowing claims for compensation for like services " (Rec. No. 127), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	Miles	Schoeneck
Allds	Darrison	Hays	Mohring	Sears
Apgar	Davis	Heller	Murphy	Sharkey
Axtell	Dean	Henderson	O'Connell	Siems
Babcock	De Graw	Henry	O'Connor	Slater

Baker	Delaney	Hill	Palmer	Sloane C A
Ball	Dillon	Hitchcock	Paris	Sloane J J
Barrett	Dutton	Hoffman	Patton	Smith J T
Bashford	Ellis	Hutton	Phillips	Snyder
Baum	Evarts	Johnson	Pickett	Sprague
Bedell	Fallows	Juengst	Post	Stoneman
Beede	Fancher	Kane	Poth	Streifler
Boland	Farrell	Kelley G T	Redington	Sullivan T P
Brennan E C	Finn	Kelsey	Riedman	Sullivan W J
Brennan J F	Fish	Kullman	Rierdon	Ten Eyck
Brewster	Fitzgerald	Lewis M E	Roberts	Thorn
Brown	Fowler	Lewis T D	Roche	Torborg
Bryan	Gale	Litchard	Rodenbeck	Trainor
Bulkley	Gallagher	Maher	Rogers	Tripp
Burnett	Gardiner	Mangin	Rowe	Vincent
Cain	Gleason	Martin	Russell	Ware
Clark	Gould	Mason	Sabine	West
Collier	Graham	Mazet	Sage H M	Whipple
Collins	Green	McEwan	Sage S B	Wilson
Costello	Greenwood	McInerney	Sanders	Wingenfeld
Cottle	Grossman	McKeown	Sandford	Wissel
Cotton	Guider	McMillan	Sands	Witter
Coughtry	Hallock	Meister	Schmid A F	Speaker
Cowles	Harburger	Meyer	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 660) entitled "An act reducing the number of the trustees of the United States Security Company reducing the amount of its capital stock, and repealing certain privileges granted by its charter" (Rec. No. 99), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McMillan	Sawyer
Allds	Darrison	Hallock	Meister	Schmid A F
Apgar	Davis	Harburger	Meyer	Schmid F
Axtell	Dean	Hatch	Miles	Schoeneck
Babcock	De Graw	Hays	Mohring	Sears
Baker	Delaney	Heller	Murphy	Sharkey
Ball	Dillon	Henderson	O'Connell	Siems
Barrett	Doughty	Henry	O'Connor	Slater
Bashford	Dutton	Hill	Palmer	Sloane C A
Baum	Egan	Hitchcock	Paris	Sloane J J
Bedell	Ellis	Hoffman	Patton	Smith J E
Beede	Evarts	Hutton	Phillips	Smith J T
Boland	Fallows	Johnson	Pickett	Snyder
Brennan E C	Fancher	Juengst	Post	Sprague
Brennan J F	Farrell	Kelley E E	Poth	Stoneman
Brewster	Finn	Kelly G T	Redington	Streifler
Brown	Fish	Kelsey	Riedman	Sullivan T P
Bryan	Fitzgerald	Kullman	Rierdon	Ten Eyck
Bulkley	Fordyce	Lewis M E	Roberts	Torborg
Burnett	Fowler	Lewis T D	Roche	Tripp
Cain	Gale	Litchard	Rodenbeck	Vincent
Clark	Gallagher	Maher	Rogers	Ware
Collier	Gardiner	Mangin	Rowe	West
Collins	Gleason	Martin	Sabine	Whipple
Costello	Gould	Mason	Sage H M	Wilson
Cottle	Graham	Mazet	Sage S B	Wingenfeld
Cotton	Green	McEwan	Sanders	Wissel
Coughtry	Greenwood	McInerney	Sandford	Witter
Cowles	Grossman	McKeown	Sands	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1544) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' in relation

to a division of notification in the department of finance, by adding a new section thereto to be designated section 1023a" (Int. No. 338), was read the second time.

On motion of Mr. Meyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1460) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the construction of sewers in the borough of Brooklyn and providing for the payment of the cost thereof by local assessment" (Int. No. 1024), was read the second time.

On motion of Mr. De Graw, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1543) entitled "An act to amend subdivision 4 of section 1352, sections 1361, 1369, 1371 and 1373 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' in relation to the municipal courts in the borough of Brooklyn" (Int. No. 273), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1461) entitled "An act to amend section 28 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in

relation to certificates of city clerk as to commissioners of deeds" (Int. No. 274), having been announced for a second reading,

On motion of Mr. E. C. Brennan, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1462) entitled "An act to amend section 33 of the Railroad Law, in regard to crossing signs, gates and flagmen, and whistle posts" (Int. No. 714), having been announced for a second reading,

On motion of Mr. Bedell, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1463) entitled "An act to amend section 64 of the Railroad Law, relative to crossings of railroads" (Int. No. 812), having been announced for a second reading,

On motion of Mr. Trainor, said bill was recommitted to the committee on railroads, retaining its place on the order of second reading.

The bill (No. 1464) entitled "An act to provide for reduced fares on railroads for school children" (Int. No. 600), was read the second time.

On motion of Mr. Ball, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1465) entitled "An act to amend section 837 of the Greater New York charter, in relation to setting apart a certain pier in the borough of Manhattan for recreation purposes" (Int. No. 742), was read the second time.

On motion of Mr. O'Connor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1466) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city relative to city funds, unpaid audits, over drafts and deficits'" (Int. No. 982), having been announced for a second reading,

On motion of Mr. Delaney, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1467) entitled "An act granting additional powers

to the Depew and Lancaster Light, Power and Conduit Company " (Int. No. 216), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1468) entitled "An act to amend section 973 of title 4 of chapter 378 of the Laws of 1897, known as the charter of the Greater New York, requiring the appointment of a resident or property owner upon all commissions appointed to condemn property to public use" (Int. No. 1047), was read the second time.

On motion of Mr. Grossman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1469) entitled "An act to amend sections 284 and 734 of the Greater New York Charter, in relation to the age, qualifications of patrolmen and firemen" (Int. No. 958), was read the second time.

On motion of Mr. A. F. Schmid, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1471) entitled "An act to further amend section 184 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' with relation to the commissioners of police" (Int. No. 746), was read the second time.

On motion of Mr. Boland, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 275, Assembly reprint No. 1472) entitled "An act to amend chapter five hundred and ninety-nine of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company'" (Rec. No. 26), having been announced for a second reading,

On motion of Mr. Palmer, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1473) entitled "An act to amend the Public Health Law, in relation to the sale of domestic remedies" (Int. No. 1030), having been announced for a second reading,

Mr. Costello moved to amend said bill as follows:

Page 2, line 5, after the word "arts," insert the words "or to the manufacture and sale of proprietary medicines."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. Costello, said bill was ordered reprinted and placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1522) entitled "An act in relation to the heating of railroad cars in cities having a population of 200,000 or over" (Int. No. 21), was read the second time.

On motion of Mr. J. F. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1517) entitled "An act to amend section 59-a of the Railroad Law, relative to extensions of street surface railroads" (Int. No. 712), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

On motion of Mr. Trainor, said bill was recommitted to the committee on railroads, retaining its place on the order of second reading.

The bill (No. 1519) entitled "An act to amend section 146 of chapter 546 of the Laws of 1896, relating to commitments to houses of refuge and reformatories for women" (Int. No. 365), was read the second time.

On motion of Mr. Dutton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1518) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to deer and venison on Long Island" (Int. No. 604), was read the second time.

On motion of Mr. Post, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1521) entitled "An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shell fish cultivation in Long Island Sound, in Queens and Nassau counties" (Int. No. 241), was read the second time.

On motion of Mr. Doughty, said bill was placed on the order of third reading.

On motion of Mr. Doughty, said bill was recommitted to the committee on fisheries and game, retaining its place on the order of third reading.

Mr. Speaker resumed the chair.

The bill (No. 1514) entitled "An act to amend section 4, article 1, chapter 592, Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws'" (Int. No. 1011), was read the second time.

On motion of Mr. Ware, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1516) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' in relation to exempting corporations whose entire capital is invested in improved real estate within this State and wholly engaged in the care and management thereof, from taxation on their capital stock" (Int. No. 763), having been announced for a second reading,

On motion of Mr. M. E. Lewis, said bill was recommitted to the committee on taxation and retrenchment, retaining its place on the order of second reading.

The bill (No. 1524) entitled "An act to amend the Code of Civil Procedure, in relation to service of process by publication" (Int. No. 162), was read the second time.

On motion of Mr. Cottle, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1525) entitled "An act to amend section 1990 of the Code of Civil Procedure" (Int. No. 548), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1520) entitled "An act to amend the Penal Code of the State of New York, in relation to copyrights" (Int. No. 355), was read the second time.

On motion of Mr. Green, said bill was placed on the order of third reading.

On motion of Mr. Green, and by unanimous consent, said bill

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Gould	Mazet	Sanders
Allds	Cowles	Graham	McInerney	Sands
Apgar	Cross	Green	McKeown	Sawyer
Axtell	Darrison	Greenwood	Meister	Schmid, F
Babcock	Davis	Grossman	Meyer	Schoeneck
Baker	Dean	Guider	Miles	Sears
Ball	De Graw	Harberger	Murphy	Siems
Barrett	Delaney	Hatch	O'Connell	Sloane C A
Bashford	Dillon	Hays	O'Connor	Sloane J J
Baum	Doughty	Heller	Paris	Smith J E
Bedell	Dutton	Henderson	Patton	Snyder
Beede	Egan	Henry	Phillips	Sprague
Boland	Ellis	Hitchcock	Pickett	stoneman
Brennan J F	Evarts	Hoffman	Post	Streifler
Brewster	Fallows	Hutton	Poth	Sullivan T P
Brown	Fancher	Johnson	Redington	Sullivan W J
Bryan	Farrell	Juengst	Rierdon	Ten Eyck
Bulkley	Finn	Kane	Roberts	Torborg
Burnett	Fish	Kelsey	Roche	Tripp
Cain	Fitzgerald	Kullman	Rodenbeck	Vincent
Clark	Fordyce	Lewis M E	Rogers	West
Collier	Fowler	Lewis T D	Rowe	Whipple
Collins	Gale	Litchard	Russell	Wingenfeld
Costello	Gallagher	Maher	Sabine	Wissel
Cottle	Gardiner	Mangin	Sage S B	Witter
Cotton	Gleason	Martin		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1523) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim

of the city of Geneva against the State for moneys advanced and expended by the city of Geneva in the settlement of expenses arising out of the care and quarantine of the Joshua Simpkins Troupe infected with small-pox, and to render judgment therefor" (Int. No. 814), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McMillan	Sawyer
Allds	Cross	Harburger	Meister	Schmid A F
Apgar	Darrison	Hatch	Meyer	Schmid A
Axtell	Davis	Hays	Miles	Schoeneck
Babcock	Dean	Heller	Mohring	Sears
Baker	DeGraw	Henderson	O'Connell	Sharkey
Barrett	Delaney	Henry	O'Connor	Siems
Bashford	Doughty	Hill	Palmer	Slater
Baum	Egan	Hitchcock	Paris	Sloane J J
Bedell	Ellis	Hoffman	Phillips	Smith J E
Beede	Evarts	Hutton	Pickett	Smith J T
Boland	Fancher	Johnson	Post	Sprague
Brennan E C	Finn	Kane	Poth	Stoneman
Brennan J F	Fish	Kelley E E	Riedman	Streifler
Brewster	Fitzgerald	Kelsey	Rierdon	Sullivan W J
Brown	Fordyce	Kullman	Roberts	Thorn
Bryan	Fowler	Lewis M E	Rodenbeck	Trainor
Bulkley	Gale	Lewis T D	Rogers	Tripp
Burnett	Gallagher	Litchard	Rowe	Vincent
Cain	Gardiner	Maher	Russell	Ware
Clark	Gleason	Mangin	Sabine	West
Collier	Gould	Martin	Sage H M	Whipple
Collins	Graham	Mazet	Sage S B	Wilson

Costello	Green	McEwan	Sanders	Wingenfeld
Cottle	Greenwood	McInerney	Sanford	Wissel
Cotton	Grossman	McKeown	Sands	Witter
Coughtry	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1549) entitled "An act authorizing the credit and allowance of the claim of Michael Sheehan, against the city of New York, for his reasonable costs, counsel fees, and expenses paid, in successfully defending himself against certain charges of which he was tried before the police commissioners of the city of New York" (Int. No. 1037), was read the second time.

On motion of Mr. Bulkley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1548) entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the city of Binghamton, to be called the 'city court of Binghamton'" (Int. No. 957), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1542) entitled "An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-sixth ward of the late city of Brooklyn" (Int. No. 194), was read the second time.

On motion of Mr. Torborg, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1545) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow, the claim of William F. S. Hart, as assignee of George S. Chapman, for expenses and disbursements incurred by George S. Chapman as a police captain in the city of New York during the months of December, 1896, and January, 1897" (Int. No. 505), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1232) entitled "An act to amend the Membership

Corporations Law, relating to agricultural corporations in new counties " (Int. No. 1043), was read the second time.

On motion of Mr. Doughty, said bill was placed on the order of third reading.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Collins	Gale	Mangin	Sandford
Allds	Costello	Gardiner	Mason	Sands
Apgar	Cottle	Gould	Mazet	Schmid A F
Axtell	Cotton	Graham	McEwan	Schoeneck
Babcock	Coughtry	Greenwood	McKeown	Sharkey
Baker	Cowles	Grossman	Meister	Slater
Ball	Cross	Hallock	Meyer	Sloane C A
Barrett	Darrison	Hatch	Miles	Sloane J J
Bashford	Davis	Hays	Mohring	Smith J E
Baum	Dean	Henderson	O'Connell	Snyder
Bedell	De Graw	Henry	Palmer	Sprague
Beede	Delaney	Hill	Paris	Stoneman
Boland	Dillon	Hoffman	Patton	Sullivan T P
Brennan E C	Doughty	Hutton	Phillips	Sullivan W J
Brennan J F	Dutton	Johnson	Post	Thorn
Brewster	Egan	Kane	Poth	Torborg
Brown	Evarts	Kelley E E	Riedman	Tripp
Bryan	Fallows	Kelly G T	Roberts	Vincent
Bulkley	Fancher	Kelsey	Roche	West
Burnett	Finn	Kullman	Rodenbeck	Whipple
Cain	Fish	Lewis M E	Rowe	Wingenfeld
Clark	Fitzgerald	Litchard	Sabine	Witter
Collier	Fowler	Maher	Sage S B	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1287) entitled " An act to provide for the better ad-

ministration of justice in the town of Green Island, county of Albany" (Int. No. 1074), was read the second time.

On motion of Mr. H. M. Sage, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1221) entitled "An act to provide for the disposition of the property and the apportionment of the debts of the former town of Watervliet among the municipalities created out of said town" (Int. No. 1038), was read the second time.

On motion of Mr. H. M. Sage, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1286) entitled "An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer'" (Int. No. 1073), was read the second time.

On motion of Mr. Russell, said bill was placed on the order of third reading and referred to the committee on revision.

By unanimous consent,

Mr. Gleason called up the bill (No. 960) entitled "An act to incorporate Grenell's Island Park, in the St. Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort" (Int. No. 72), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Gleason moved that said bill be recommitted to the committee on affairs of villages, with instructions to report the same forthwith amended as follows:

Page 6, line 15 strike out the semi-colon after the word "territory" and insert a period.

Same page, strike out all of lines 16 and 17 up to and including the word "county."

Page 3, line 15, strike out the words "but no."

Same page, strike out all of line 16 and insert the words "and such trustees shall cause to be posted a notice of said election in."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Gleason, and it was determined in the affirmative.

Mr. Ellis, from the committee on affairs of villages, reported said bill, amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. Streifler called up the bill (No. 844) entitled "An act to amend chapter 910 of the Laws of the year 1896, entitled 'An act to authorize the recovery of an assessment paid for a local improvement, which assessment has been annulled'" (Int. No. 761), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Streifler moved to amend said bill as follows:

Page 2, line 8, insert at the end of section 1 the words "This act shall not apply to the county of Erie."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Streifler, and it was determined in the affirmative.

Said bill as amended, was then read the second time.

On motion of Mr. Adler, said bill was ordered reprinted and placed on the order of third reading, and referred to the committee on revision.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Cowles, Int. No. 1065, entitled "An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' and all acts amendatory thereof" (No. 1278), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Fish, Int. No. 984, entitled "An act to amend the Village Law, in relation to the power of trustees to prescribe the width of tires on vehicles" (No. 1148), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which

was referred the bill introduced by Mr. Thorn, Int. No. 1016, entitled "An act to authorize the board of trustees of the village of Ellenville to enlarge, protect and increase its supply of water" (No. 1185), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. S. B. Sage, Int. No. 1100, entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (No. 1340), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. West, Int. No. 449, entitled "An act to provide for the paving of Broad street and portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor" (No. 469), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after the word "Charles" strike out the letter "L" and insert the letter "A."

Same page, same line, strike out the word "McGreiney" and insert the word "McGreivey."

Page 5, strike out lines 24 and 25.

Page 6, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 and insert the following:

"Second. To require and compel any street surface railroad company owning or operating any tracks on Broad street in said village, to relay or rebuild the same in such manner and with such rails as said board shall determine. In case any such street surface railroad company shall neglect or refuse to comply with the requirements of said board under this act such street surface railroad company shall forfeit to said board the sum of twenty-five dollars per day for each day after notice of the requirements of said board shall be served on such street surface railroad company; or said board may take any other proceedings they may deem proper to enforce their requirements under this act. Any sum which may be owing by any such street surface railroad

company to said board for its neglect or refusal to comply with the requirements of said board under this act shall be a charge against such railroad company and collected by said board in the manner hereinafter provided for the collection of the expense of paving said street. Any expense incurred by said board under this subdivision shall be a charge against such railroad company and paid to said board."

Same page, line 19, after the word "pole" insert the words "on the same side of the street."

Page 10, line 25, after the word "foot" insert the words "on Broad street."

JOHN J. ELLIS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. C. A. Sloane, Int. No. 1094, entitled "An act to amend chapter 114 of the Laws of 1869, entitled 'An act to amend an act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village, passed April 3, 1861.'" (No. 1307), reported in favor of the passage of the same, with the following amendments:

Page 5, strike out lines 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26.

Page 6, strike out lines 1, 2, 3, 4, 5, 6, 7, 8, 9 and 10.

JOHN J. ELLIS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 73, entitled "An act to amend section 66, relating to separate boards of commissioners, section 200, relating to general powers of the board of fire commissioners, and section 205, relating to nomination of officers of the fire department, of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws'" (No. 445), reported

in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bulkley offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 401, entitled "An act to repeal chapter 672 of the Laws of 1897, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, as amended by chapters 84 and 288 of the Laws of 1887, and by chapter 238 of the Laws of 1892, and by chapter 567 of the Laws of 1895, and otherwise so as to provide for the improvement of tenements and lodging-houses,' relative to window guards." (Rec. No. 96.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Bulkley, said bill was referred to the committee on revision, to compare with Assembly bill No. 1165, Int. No. 996, same title and subject, now on the order of third reading, and report if the same are identical, and if found identical that said Senate bill be substituted for said Assembly bill.

Mr. Coughtry, from the committee on revision, to which was referred the Senate bill No. 401, Rec. No. 96, and Assembly bill No. 1165, Int. No. 996, entitled "An act to repeal chapter 672 of the Laws of 1897, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York, as amended by chapters 84 and 288 of the Laws of 1887, and by chapter 238 of the Laws of 1892, and by chapter 567 of the Laws of 1895, and otherwise so as to provide for the improvement of tenements and lodging houses,' relative to window guards," reported that they have compared the same, and find that they are not identical which report was agreed to.

On motion of Mr. Bulkley, and by unanimous consent, said Senate bill was read the second time and ordered to a third reading.

On motion of Mr. Bulkley, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly* voting in favor thereof, and three-fifths being present.

{ AYES 146 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meister	Schmid F
Allds	Davis	Harburger	Meyer	Schoeneck
Apgar	Dean	Hatch	Miles	Sears
Axtell	De Graw	Hays	Mohring	Sharkey
Babcock	Delaney	Heller	O'Connell	Siems
Baker	Dillon	Henderson	O'Connor	Slater
Ball	Doughty	Henry	Palmer	Sloane C A
Barrett	Dutton	Hill	Paris	Sloane J J
Bashford	Egan	Hitchcock	Patton	Smith J E
Baum	Ellis	Hoffman	Phillips	Smith J T
Bedell	Evarts	Hutton	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streifler
Brennan J F	Finn	Kelly G T	Riedman	Sullivan T P
Brewster	Fish	Kelsey	Rierdon	Sullivan W J
Brown	Fitzgerald	Kullman	Roberts	Ten Eyck
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Lewis T D	Rodenbeck	Torborg
Burnett	Gale	Litchard	Rogers	Trainor
Cain	Gallagher	Maher	Rowe	Tripp
Clark	Gardiner	Mangin	Russell	Vincent
Collier	Gleason	Martin	Sabine	Ware
Collins	Gould	Mason	Sage H M	West
Costello	Graham	Mazet	Sage S B	Whipple
Cottle	Green	McEwan	Sanders	Wilson
Cotton	Greenwood	McInerney	Sandford	Wingenfeld
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Finn offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of Senate bill No. 653, entitled "An act to provide compensation to the owners of cattle destroyed pursuant to chapter 674 of the Laws of 1894 and repealing certain acts relating thereto in the city of New York." (Rec. No. 102.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Finn, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Finn, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sandford
Allds	Cross	Grossman	McKeown	Sands
Apgar	Darrison	Guider	McMillan	Sawyer
Axtell	Davis	Hallock	Meister	Schmid A F
Babcock	Dean	Harburger	Meyer	Schoeneck
Baker	De Graw	Hatch	Miles	Sears
Ball	Delaney	Hays	Mohring	Sharkey
Barrett	Dillon	Henderson	Murphy	Siems
Bashford	Doughty	Henry	O'Connell	Slater
Baum	Dutton	Hill	O'Connor	Sloane C A
Bedell	Ellis	Hitchcock	Paris	Smith J E
Beede	Evarts	Hoffman	Patton	Smith J T
Boland	Fallows	Hutton	Phillips	Snyder
Brennan J P	Fancher	Johnson	Pickett	Stoneman

Brewster	Farrell	Juengst	Post	Streifler
Brown	Finn	Kelley E E	Poth	Sullivan T P
Bryan	Fish	Kelly G T	Redington	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Riedman	Thorn
Burnett	Fordyce	Kullman	Roberts	Torborg
Cain	Fowler	Lewis M E	Roche	Trainor
Clark	Gallagher	Litchard	Rogers	Tripp
Collier	Gardiner	Maher	Rowe	Vincent
Collins	Gleason	Mangin	Russell	West
Costello	Gould	Martin	Sage H M	Whipple
Cotton	Graham	Mazet	Sage S B	Wingenfeld
Coughtry	Green	McEwan	Sanders	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Coughtry, from the committee on revision to which was referred the following entitled bills, reported the same without recommendations:

“An act to correct and straighten the boundary lines of the Eighth and Thirteenth wards of the city of Utica by annexing parts of the Fifth ward thereto.” (No. 1308, Int. No. 1095.)

“An act relating to the employment of women and children at polishing or buffing.” (No. 1240, Int. No. 1051.)

“An act to legalize certain acts of the board of supervisors of Monroe county in relation to the publication of their official proceedings.” (No. 1515, Int. No. 847.)

“An act to amend the Public Health Law, in relation to dental degrees.” (No. 1418, Int. No. 1151.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1512) entitled “An act to amend the Membership Corporations Law, being chapter 43 of the general laws, in relation to visitation of Supreme Court” (Int. No. 307), reported the same with the following recommendations:

Page 1, line 1, after the word “chapter” insert the words “five hundred and fifty-nine of the laws of eighteen hundred and ninety-five, entitled ‘An act relating to membership corporations, constituting chapter.’”

Same page, line 2, after the word “laws” insert quotation marks.

Page 2, line 15, after the word "order" insert a semicolon; also amend the title so as to read as follows:

"An act to amend the membership corporations law, in relation to visitation of supreme court."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1174) entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes'" (Int. No. 1005), reported the same with the following recommendations:

Page 2, line 18, after the word "houses" insert a comma.

After the word "Cohoes" in last line of title insert a comma in place of period, and the words "in relation to the powers of the common council of said city."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1434) entitled "An act to amend the Labor Law, relating to safety appliances for scaffolding for the use of employes" (Int. No. 669), reported the same with the following recommendations:

Page 1, line 9, add the letter "s" to the word "hoist."

Same page, same line, after the word "hoist" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1433) entitled "An act to provide for the payment of the costs and disbursements of city and county employes in maintaining actions against such city or county for

compensation" (Int. No. 1052), reported the same with the following recommendation:

Page 1, line 4, after the word "him" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1173) entitled "An act to authorize the city of Cohoes to borrow money by the issue of bonds for the payment of the expenses, audits and charges of the public improvement commission of the city of Cohoes organized and created by chapter 904 of the Laws of 1896 and of the public improvement commission of the city of Cohoes organized and created under chapter 227 of the Laws of 1898" (Int. No. 1004), reported the same with the following recommendation:

Page 2, line 8, after the words "New York" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 753) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate notices are to be advertised" (Int. No. 691), reported the same with the following recommendations:

Page 2, line 8, after the word "Record" insert a period.

Same page, same line, capitalize the word "And."

Same page, line 21, after the word "newspapers" insert a comma.

Same page, line 22, after the word "newspapers" insert a comma.

Page 3, line 1, after the word "newspapers" insert a comma.

Same page, line 2, after the word "newspapers" insert a comma.

Same page, line 3, after the word "newspapers" insert a comma.

Same page, line 4, after the word "law" insert a comma.

Same page, line 10, strike out the word "and."

Same page, line 11, before the word "until" insert the word "and."

Same page, line 13, strike out the word "so."

Same page, line 14, strike out the word "shall."

Page 4, line 22, after the word "to" capitalize the word "The."

Same page, line 23, capitalize the word "City."

Same page, line 25, capitalize the words "The City."

Page 5, line 4, strike out the word "by" and insert the word "for."

Same page, line 7, after the word "at" insert the word "the."

Same page, line 8, strike out the word "the" and insert the word "any."

Same page, line 13, after the word "designated" insert a comma.

Same page, line 17, strike out the word "newspaper" and insert the word "newspapers."

Same page, line 21, after the word "designated" insert the word "as."

Page 6, line 14, after the word "by" insert the word "a."

Same page, line 17, capitalize the words "The City."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1086) entitled "An act in relation to receiver of taxes of the town of Plattsburgh" (Int. No. 640), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-three" insert the following words, "entitled 'An act to provide for the appointment of a receiver of taxes and assessments for the village, town and free union school district number one of the town of Plattsburgh in the county of Clinton.'"

Page 3, line 13, add the letter "s" to the word "bond."

Same page, line 16, strike out the word "or" and insert in lieu thereof the word "and."

Same page, line 18, add the letter "s" to the word "bond."

Same page, line 20, after the word "thereupon" insert the word "shall."

Same page, same line, after the word "serve" insert a comma.

Amend the title to read "An act to amend chapter eighty-six of the laws of eighteen hundred and ninety-three, entitled 'An act to provide for the appointment of a receiver of taxes and assessments for the village, town and free union school district number one of the town of Plattsburgh in the county of Clinton.'"

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend chapter 318 of the Laws of 1897, relative to the use of the stoop line in certain streets in the city of New York, and to provide for the use of the stoop line for purposes of storage in certain other streets in the city of New York." (No. 1453, Int. No. 923.)

"An act to amend chapter 253 of the Laws of 1885, relative to the investment of the trust funds of the Buffalo city cemetery." (No. 1458, Int. No. 837.)

"An act to amend chapter 371, Laws of 1896, in relation to auction sales." (No. 1454, Int. No. 775.)

"An act to amend 'The Greater New York Charter,' relating to the appointment of justices of the Court of Spécial Sessions and city magistrates." (No. 1456, Int. No. 292.)

"An act to amend 'The Greater New York Charter,' relative to the legislative department." (No. 1457, Int. No. 959.)

"An act to amend chapter 112 of the Laws of 1896, and the act amendatory thereof, relative to restrictions on the traffic in liquor in connection with other business." (No. 1455, Int. No. 423.)

"An act to authorize the Astoria Light, Heat and Power Company, of Queens county, to supply gas and electricity con-

ducted under and across the waters separating the boroughs of Queens, Manhattan and the Bronx in the city of New York.” (No. 1459, Int. No. 558.)

The Senate returned the concurrent resolution offered by Mr. Hill, relative to the Pan-American Exposition, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said concurrent resolution to the Governor.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 436, entitled “An act to amend section 74 of article 6 of chapter 418 of the Laws of 1897, entitled ‘An act in relation to liens, constituting chapter 49 of the general laws’” (Rec. No. 55), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bill:

“An act to provide for the payment of the claim of Hunter, Walton & Co., a copartnership firm, for butter supplied on the credit of the mayor, aldermen and commonalty of the city of New York, to the commissioner of correction of the city of New York in the year 1896, for use by the inmates of the institutions under his care and jurisdiction” (No. 644, Senate reprint 582, Int. No. 321).

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

Mr. West gave notice that on March 15 he would call up the bill No. 1079, entitled “An act to provide for the payment by the town of Waterford of its portion of the paving of Broad street, in said town” (Int. No. 769), the same having been laid aside on the order of second reading.

Mr. West gave notice that on March 15 he would call up Senate bill No. 438, entitled "An act to collect and preserve from loss or injury, any and all wampums which the Onondaga nation of Indians, or its wampum-keeper, or any of the Ho-de-no-sau-nee, otherwise known as the Five Nations, or the Six Nations, or the Iroquois, is entitled to possess" (Rec. No. 41), the same having been laid aside on the order of second reading.

Mr. E. C. Brennan gave notice that on March 14 he would call up the bill No. 1114, entitled "An act to authorize the construction of a bridge over the East river, in the city of New York, and to provide for the use thereof, by railroad companies, bicyclists, trucks, carriages and foot passengers" (Int. No. 19), the same having been laid aside on the order of third reading.

Mr. Delaney gave notice that on March 15 he would call up the bill No. 1466, entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city, relative to city funds, unpaid audits, over drafts and deficits'" (Int. No. 982), the same having been laid aside on the order of second reading.

The privileges of the floor were granted to Hon. James W. Husted, of Westchester, and Hon. Harvey S. McKnight, of Queens.

By unanimous consent,

Mr. Fallows introduced a bill entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws, in relation to liens of hotel, inn, boarding and lodging house keepers'" (Int. No. 1293), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Post introduced a bill entitled "An act to extend the time for the collection of taxes in the town of Babylon, in Suffolk county" (Int. No. 1294), which was read the first time.

On motion of Mr. Post, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village and to issue bonds therefor" (Int. No. 1295), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Davis introduced a bill entitled "An act to amend the Code of Civil Procedure, in respect to receiving in evidence in actions or proceedings involving a title to real property in this State certain testimony perpetuated in anticipation of such actions or proceedings" (Int. No. 1296), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Hays introduced a bill entitled "An act to amend section 82 of chapter 568 of the Laws of the State of New York enacted in 1895, entitled 'An act to incorporate the city of Johnstown'" (Int. No. 1297), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hays introduced a bill entitled "An act to amend article V of chapter 568 of the Laws of the State of New York enacted in 1895, entitled 'An act to incorporate the city of Johnstown by adding thereto a new section relative to the acceptance of streets of highways'" (Int. No. 1298), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hatch introduced a bill entitled "An act to repeal chapter 669 of the Laws of 1898, entitled 'An act to amend chapter 255 of the Laws of 1892, entitled An act to authorize the several towns of this State to establish lamp or lighting districts outside the limits of any incorporated village or villages therein, and to provide for the lighting of public buildings, streets, avenues, highways and

public places in said districts,' and the act amendatory thereof relating to petitions for such districts" (Int. No. 1299), which was read the first time and referred to the committee on gas, electricity and water supply.

By unanimous consent,

Mr. Sprague introduced a bill entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county " (Int. No. 1300), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. T. P. Sullivan introduced a bill entitled "An act to amend chapter 978 of the Laws of 1895, entitled 'An act to authorize the board of fire commissioners of the city of New York to inquire into and determine the claim of Margaret Hudson to be placed upon the pension roll of the fire department of said city,' and to make an allowance to her for pension " (Int. No. 1301), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Newtown, Flushing, Jamaica and a part of the town of Hempstead, prior to January 1, 1898 " (Int. No. 1302), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hutton introduced a bill entitled "An act to prohibit inmates of industrial schools or correctional institutions of the State from interfering with or depriving professional or other musicians of engagements at their profession or calling " (Int. No. 1303), which was read the first time and referred to the committee on general laws.

By unanimous consent,

Mr. Ware introduced a bill entitled "An act to amend the Penal Code, in relation to affixing advertisement to another's land " (Int. No. 1304), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Ware introduced a bill entitled "An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street, from Seventh avenue to the Boulevard, in the borough of Manhattan and city of New York, so far as the same remains unpaid" (Int. No. 1305), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Allds, the House adjourned.

WEDNESDAY, MARCH 15, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. C. Seeger.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Babcock introduced a bill entitled "An act to amend section 20 of chapter 570, of the Laws of 1895, entitled 'An act for the incorporations of associations for the improvement of the breed of horses and to regulate the same, and to establish a State racing commission, as amended by chapter 396 of the Laws of 1898, relating to the collection of taxes'" (Int. No. 1268), which was read the first time and referred to the committee on ways and means.

Mr. Boland introduced a bill entitled "An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo and the several acts amendatory thereof and supplemental thereto in relation to the payment of pensions to the members of the said police force, or their dependents'" (Int. No. 1269), which was read the first time and referred to the committee on affairs of cities.

Mr. E. C. Brennan introduced a bill entitled "An act to amend sections 2125 and 2129 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting local interests in the city of New York,

relating to Hell Gate pilots, pilotage and pilot apprentices ' ' (Int. No. 1270), which was read the first time and referred to the committee on commerce and navigation.

Also, a bill entitled "An act to provide for the payment by the State of the salaries of all employees of a State department who enlisted as volunteers in the United States service for the war with Spain during such service" (Int. No. 1271), which was read the first time and referred to the committee on ways and means.

Also, a bill entitled "An act to provide for the payment of salaries of those who have served as janitors of the municipal courts in the borough of Brooklyn in the city of New York" (Int. No. 1272), which was read the first time and referred to the committee on affairs of cities.

Mr. Burnett introduced a bill entitled "An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house and to authorize the purchase of a site therefor, and the erection thereon, of a town house, in said town of Victor and to authorize the said town of Victor to issue bonds in payment thereof" (Int. No. 1273), which was read the first time and referred to the committee on general laws.

Also, a bill entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and 8 of the general laws, relative to the prevention of disease among bees'" (Int. No. 1274), which was read the first time and referred to the committee on agriculture.

Also, a bill entitled "An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof" (Int. No. 1275), which was read the first time and referred to the committee on general laws.

Mr. Collier introduced a bill entitled "An act to amend section 688 of the Code of Civil Procedure relative to defendants undertaking in attachment" (Int. No. 1276), which was read the first time and referred to the committee on codes.

Also, a bill entitled "An act in relation to the taxation, in the city of New York in the year 1899 of bonds secured by mortgages on real property" (Int. No. 1277), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Darrison introduced a bill entitled "An act to amend chapter 361 of the Laws of 1897, entitled "An act to incorporate the city of Tonawanda" (Int. No. 1278), which was read the first time and referred to the committee on affairs of cities.

Mr. Delaney introduced a bill entitled "An act to amend section 2463 of the Code of Civil Procedure relating to exempt property" (Int. No. 1279), which was read the first time and referred to the committee on codes.

Mr. Gale introduced a bill entitled "An act to amend chapter 775 of the Laws of 1895, entitled 'An act to legalize and provide for the payments of certain claims against Long Island City'" (Int. No. 1280), which was read the first time and referred to the committee on affairs of cities.

Mr. Green introduced a bill entitled "An act to amend section 1081 of the Code of Civil Procedure, relative to exemption from jury duty" (Int. No. 1281), which was read the first time and referred to the committee on codes.

Mr. Greenwood introduced a bill entitled "An act to secure rights of members of associations" (Int. No. 1282), which was read the first time and referred to the committee on the judiciary.

Mr. Grossman introduced a bill entitled "An act to enable the fire commissioners of the city of New York to rehear and determine the charges against Jacob H. Fatle, a fireman of the first grade for reinstatement in said department" (Int. No. 1283), which was read the first time and referred to the committee on affairs of cities.

Mr. Hitchcock introduced a bill entitled "An act to provide cheapened facilities at the port of New York for elevating and transferring grain carried over the canals and waters in this State and making an appropriation therefor" (Int. No. 1284), which was read the first time and referred to the committee on ways and means.

Mr. Mangin introduced a bill entitled "An act to authorize and empower the board of police commissioners of the city of New York to reconsider the resignation of Charles B. Von Gerichten, as a patrolman of the police department of the city of New York" (Int. No. 1285), which was read the first time and referred to the committee on affairs of cities.

Mr. Meister introduced a bill entitled "An act to amend the Greater New York charter in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes" (Int. No. 1286), which was read the first time and referred to the committee on affairs of cities.

Mr. Miles introduced a bill entitled "An act to provide for the incorporation of the salvation army" (Int. No. 1287), which was read the first time and referred to the committee on charitable and religious societies.

Mr. J. J. Sloane introduced a bill entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon and the acts amendatory thereof relative to general provisions'" (Int. No. 1288), which was read the first time and referred to the committee on affairs of cities.

Mr. Wilson introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Edward F. Milliken and Foster Milliken, composing the firm of Milliken Brothers, against the State for damages alleged to have been determined by them and to render judgment therefor" (Int. No. 1289), which was read the first time and referred to the committee on claims.

Mr. Hill introduced a bill entitled "An act for the promotion of commerce on the seaboard and inland waters of the State" (Int. No. 1290), which was read the first time and referred to the committee on commerce and navigation.

Mr. Sears introduced a bill entitled "An act to authorize and empower the town board of the town of Fort Covington, Franklin county and the Aetna Fire Insurance Company of Fort Covington, N. Y., to purchase a site for and to erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance" (Int. No. 1291), which was read the first time and referred to the committee on internal affairs.

Mr. Slater introduced a bill entitled "An act to provide for annual reports by cities of the second and third class of their financial condition and to establish a system of uniform accounts therein" (Int. No. 1292), which was read the first time and referred to the committee on affairs of cities.

Mr. Coughtry introduced a bill entitled "An act to provide for the use of a rubber stamp in marking the cross (X) mark on official ballots" (Int. No. 1306), which was read the first time and referred to the committee on the judiciary.

Also, a bill entitled "An act to provide for the equal distribution of the effects of insolvent debtors" (Int. No. 1307), which was read the first time and referred to the committee on the judiciary.

Mr. Kelsey introduced a bill entitled "An act amending chapter 237 of the Laws of 1872, as amended by chapter 178 of the Laws of 1887, amending the charter of the village of Geneseo, N. Y.," (Int. No. 1308), which was read the first time and referred to the committee on affairs of villages.

Mr. Tripp introduced a bill entitled "An act to provide for the removal of a nuisance created by the action of State authorities and to make an appropriation therefor" (Int. No. 1309), which was read the first time and referred to the committee on ways and means.

Mr. Wissel introduced a bill entitled "An act conferring jurisdiction upon and authorizing the Court of Claims to hear, audit and determine the claim of John B. Woodruff against the State of New York, and make an award therefor" (Int. No. 1310), which was read the first time and referred to the committee on claims.

The Senate sent for concurrence the following entitled bills:

"An act to incorporate the city of New Rochelle" (No. 750, Rec. No. 151), which was read the first time and referred to the committee on affairs of cities.

"An act to grant the city of Yonkers certain land under water on the Hudson river, below high water mark, for purposes of a public street and bridge, and certain other land adjacent thereto for slip purposes" (No. 662, Rec. No. 152), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 150 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the appointment of deputy comptrollers in the department of finance of the city of New York" (No. 726, Rec. No. 153), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (No. 675, Rec. No. 154), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the Orange County Agricultural Society to hold real and personal property, and to issue stock to raise money for the use of the society" (No. 863, Rec. No. 155), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relating to the powers of the common council" (No. 669, Rec. No. 156), which was read the first time and referred to the committee on affairs of cities.

"An act to divide the county of Cattaraugus into three school commissioner districts" (No. 720, Rec. No. 157), which was read the first time and referred to the committee on internal affairs.

"An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto" (No. 845, Rec. No. 158), which was read the first time and referred to the committee on excise.

"An act in relation to the opening of the highway or avenue known as Prospect avenue, in the former town of Flatbush, Kings county, now a part of the city of New York" (No. 40, Rec. No. 159), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 110 of the Laws of 1852, entitled 'An act to authorize the inhabitants of the town of Oyster Bay, in the county of Queens, to elect three assessors for said town'" (No. 847, Rec. No. 160), which was read the first time and referred to the committee on internal affairs.

"An act to amend the Insurance Law relative to the merger or consolidation of fire insurance corporations" (No. 789, Rec. No. 161), which was read the first time and referred to the committee on insurance.

"An act to amend an act entitled 'An act for licensing and regulating bonds of auctioneers in cities of one million and over,' passed May 22, 1897, relative to precedence of bonds, and limiting the time within which an action may be commenced thereon" (No. 849, Rec. No. 162), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (No. 116, Rec. No. 163), which was read the first time and referred to the committee on taxation and retrenchment.

"An act for the protection of public health, and to prevent mistakes in the handling of poison" (No. 848, Rec. No. 164), which was read the first time and, on motion of Mr. Fordyce, said bill was referred to the committee on revision to compare with the Assembly bill No. 874, Int. No. 786, same title and subject, now on the order of third reading, and report if the same are identical, and if found identical, that said Senate bill be substituted for said Assembly bill.

The bill (No. 1278) entitled "An act to amend chapter 511 of the Laws of 1889, entitled 'An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,' and all acts amendatory thereof" (Int. No. 1065), was read the second time.

On motion of Mr. Cowles, said bill was placed on the order of third reading.

On motion of Mr. Cowles, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	Meister	Schmid F
Allds	Cowles	Grossman	Meyer	Schoeneck
Apgar	Cross	Guider	Miles	Sears
Axtell	Darrison	Hallock	Mohring	Sharkey
Babcock	Davis	Harburger	O'Connell	Siems
Baker	Dean	Hatch	O'Connor	Slater
Ball	De Graw	Hays	Palmer	Sloane C A
Barrett	Delaney	Heller	Paris	Sloane J J
Bashford	Dillon	Henderson	Patton	Smith, J E
Baum	Doughty	Hill	Phillips	Snyder
Bedell	Dutton	Hitchcock	Post	Sprague
Beede	Egan	Hutton	Poth	Stoneman
Boland	Ellis	Johnson	Redington	Streifler
Brennan E C	Fallows	Juengst	Riedman	Sullivan W J
Brennan J F	Farrell	Kelley E E	Rierdon	Ten Eyck
Brewster	Finn	Kelly G T	Roberts	Thorn
Brown	Fish	Kelsey	Roche	Torborg
Bryan	Fitzgerald	Kullman	Rodenbeck	Trainor
Bulkley	Fordyce	Lewis T D	Rogers	Tripp
Burnett	Fowler	Litchard	Russell	Ware
Cain	Gale	Maher	Sabine	West
Clark	Gallagher	Martin	Sage H M	Whipple
Collier	Gardiner	Mason	Sage S B	Wilson
Collins	Gleason	Mazet	Sanders	Wingenfeld
Costello	Gould	McInerney	Sandford	Wissel
Cottle	Graham	McKeown	Sawyer	Witter
Cotton	Green	McMillan	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1148) entitled "An act to amend the Village Law, in relation to the power of trustees to prescribe the width of tires on vehicles" (Int. No. 984), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1340) entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (Int. No. 1100), was read the second time.

On motion of Mr. S. B. Sage, said bill was placed on the order of third reading.

On motion of Mr. S. B. Sage, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	McKeown	Sawyer
Allds	Cross	Guider	McMillan	Schmid F
Apgar	Darrison	Hallock	Meister	Schoeneck
Axtell	Davis	Harburger	Meyer	Sears
Babcock	Dean	Hatch	Miles	Sharkey
Baker	De Graw	Hays	Mohring	Siems
Ball	Delaney	Heller	Murphy	Slater
Barrett	Dillon	Henderson	O'Connell	Sloane J J
Bashford	Doughty	Hill	O'Connor	Smith J E
Baum	Dutton	Hitchcock	Palmer	Smith J T
Bedell	Egan	Hoffman	Patton	Snyder
Beede	Ellis	Hutton	Phillips	Sprague
Boland	Evarts	Johnson	Pickett	Streifler
Brennan E C	Fallows	Juengst	Post	Sullivan T P
Brennan J F	Fancher	Kelley E E	Poth	Sullivan W J
Brewster	Farrell	Kelly G T	Redington	Ten Eyck
Brown	Finn	Kelsey	Riedman	Torborg
Bryan	Fish	Kullman	Roberts	Trainor
Bulkley	Fordyce	Lewis M E	Rodenbeck	Tripp
Burnett	Fowler	Lewis T D	Rogers	Vincent
Cain	Gale	Litchard	Rowe	Ware
Clark	Gallagher	Maher	Russell	Whipple
Collier	Gleason	Mangin	Sabine	Wilson

Collins	Gould	Martin	Sage H M	Wingenfeld
Costello	Graham	Mazet	Sage S B	Wissel
Cottle	Green	McEwan	Sanders	Witter
Cotton	Greenwood	McInerney	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1185) entitled "An act to authorize the board of trustees of the village of Ellenville to enlarge, protect and increase its supply of water" (Int. No. 1016), was read the second time.

On motion of Mr. Thorn, said bill was placed on the order of third reading.

On motion of Mr. Thorn, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McMillan	Schmid F
Allds	Cross	Guider	Meister	Schoeneck
Apgar	Darrison	Hallock	Meyer	Sharkey
Axtell	Davis	Harburger	Mohring	Siems
Babcock	Dean	Hatch	Murphy	Slater
Baker	Delaney	Hays	O'Connell	Sloane C A
Ball	Dillon	Heller	Palmer	Sloane J J
Barrett	Doughty	Henderson	Paris	Smith J E
Bashford	Dutton	Henry	Patton	Smith J T
Bedell	Ellis	Hill	Phillips	Sprague
Beede	Evarts	Hitchcock	Pickett	Stoneman
Boland	Fallows	Hutton	Post	Streifler
Brennan E C	Fancher	Johnson	Poth	Sullivan T P
Brennan J F	Farrell	Juengst	Riedman	Sullivan W J
Brewster	Finn	Kane	Rierdon	Ten Eyck
Brown	Fish	Kelly G T	Roberts	Thorn
Bryan	Fitzgerald	Kelsey	Roche	Trainor
Bulkley	Fordyce	Kullman	Rogers	Tripp

Burnett	Fowler	Lewis M E	Rowe	Vincent
Cain	Gale	Litchard	Russell	Ware
Clark	Gallagher	Maher	Sabine	West
Collier	Gardiner	Mangin	Sage	Whipple
Collins	Gleason	Martin	Sanders	Wilson
Costello	Gould	Mason	Sandford	Wingenfeld
Cottle	Graham	McEwan	Sands	Wissel
Cotton	Green	McInerney	Sawyer	Witter
Coughtry	Greenwood	McKeown	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 445) entitled "An act to amend section 66, relating to separate boards of commissioners, section 200, relating to general powers of the board of fire commissioners, and section 205, relating to nomination of officers of the fire department, of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws'" (Rec. No. 73), was read the second time.

On motion of Mr. West, said bill was placed on the order or third reading.

The bill (No. 1453) entitled "An act to amend chapter 318 of the Laws of 1897, relative to the use of the stoop line in certain streets in the city of New York, and to provide for the use of the stoop line for purposes of storage in certain other streets in the city of New York" (Int. No. 923), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	Mazet	Sandford
Allds	Coughtry	Greenwood	McEwan	Sands
Apgar	Cowles	Grossman	McInerney	Schmid A F
Axtell	Cross	Guider	McKeown	Schmid F
Babcock	Darrison	Hallock	McMillan	Schoeneck

Baker	Dean	Harburger	Meyer	Sharkey
Ball	De Graw	Hatch	Miles	Siems
Barrett	Delaney	Hays	Mohring	Slater
Bashford	Doughty	Henderson	O'Connell	Sloane J J
Baum	Dutton	Henry	O'Connor	Smith J E
Bedell	Egan	Hill	Palmer	Snyder
Beede	Ellis	Hitchcock	Paris	Sprague
Boland	Fallows	Hoffman	Patton	Streifler
Brennan E O	Fancher	Hutton	Pickett	Sullivan T P
Brennan J F	Farrell	Johnson	Post	Sullivan W J
Brewster	Finn	Juengst	Poth	Ten Eyck
Brown	Fish	Kelley E E	Redington	Torborg
Bryan	Fitzgerald	Kelly G T	Rierdon	Tripp
Bulkley	Fordyce	Kelsey	Roberts	Vincent
Burnett	Fowler	Kullman	Roche	Ware
Cain	Gale	Lewis M F	Rodenbeck	West
Clark	Gallagher	Lewis T D	Rogers	Wilson
Collier	Gardiner	Litchard	Russell	Wingenfeld
Collins	Gleason	Mangin	Sabine	Wissel
Costello	Gould	Martin	Sage H M	Witter
Cottle	Graham	Mason	Sage S B	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1454) entitled "An act to amend chapter 371, Laws of 1896, in relation to auction sales" (Int. No. 775), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill; and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McInerney	Sawyer
Allds	Cross	Guider	McKeown	Schmid A F
Apgar	Darrison	Hallock	McMillan	Schmid F
Axtell	Davis	Harburger	Meister	Sears
Babcock	Dean	Hatch	Meyer	Sharkey
Baker	De Graw	Hays	Mohring	Siems
Ball	Delaney	Heller	Murphy	Slater

Barrett	Dillon	Henderson	O'Connell	Sloane C A
Bashford	Doughty	Henry	O'Connor	Smith J E
Baum	Dutton	Hill	Paris	Smith J T
Bedell	Egan	Hitchcock	Patton	Snyder
Beede	Ellis	Hoffman	Pickett	Sprague
Boland	Fallows	Hutton	Post	Stoneman
Brennan E C	Fancher	Johnson	Poth	Sullivan T P
Brennan J F	Farrell	Kane	Redington	Sullivan W J
Brewster	Finn	Kelley E E	Rierdon	Ten Eyck
Brown	Fish	Kelly G T	Roberts	Torborg
Bryan	Fitzgerald	Kelsey	Roche	Trainor
Bulkley	Fowler	Kullman	Rogers	Tripp
Burnett	Gale	Lewis M E	Rowe	Ware
Cain	Gallagher	Lewis T D	Russell	West
Clark	Gardiner	Maher	Sabine	Whipple
Collier	Gleason	Mangin	Sage H M	Wilson
Collins	Gould	Martin	Sage S B	Wingenfeld
Cottle	Graham	Mason	Sandford	Wissel
Cotton	Green	McEwan	Sands	Witter
Coughtry	Greenwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1459) entitled "An act to authorize the Astoria Light, Heat and Power Company, of Queens county, to supply gas and electricity conducted under and across the water separating the borough of Queens, Manhattan and the Bronx in the city of New York" (Int. No. 558), having been announced for a third reading,

Mr. Hoffman moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 4, after the word "City" strike out the period and insert the words "and be it further provided, that nothing in this act contained, shall allow the Astoria Light, Heat and Power Company of Queens county to do or perform any of the acts or things provided for in section one of this act, until said company shall have obtained the consent of the municipal authorities of the city of New York, upon payment to said city of a just and fair sum of money for the franchise granted to said company and provided also that said act shall not grant said franchise in perpetuity, but the same shall be limited to a period of twenty-five years, as provided for in section seventy-three of the Greater New York charter."

Mr. Allds.—I make the point of order that no amendments are in order on third reading.

Mr. Speaker.—The Chair appreciates that the privilege has been accorded to members upon the order of third reading to make a motion of this kind—agreements have been made—this provision has come from a constitutional provision and to a certain extent from the members of the House, where objections have been made. But the Chair is disposed to be liberal about this proposition, and is willing that propositions should be submitted for consideration upon the order of third reading, when they are not in his judgment submitted for the purpose of retarding a bill, and will allow the amendment offered by the gentleman from New York to be considered at this time, reserving the right to a more strict enforcement of the rule if in his opinion amendments are offered for dilatory purposes.

Mr. Green.—Do I understand the Speaker to rule that when a bill is on the order of third reading that no motion to recommit a bill can be made?

Mr. Speaker.—Oh, no; the Chair does not so rule at all.

Mr. Green.—Then, Mr. Speaker, following out that suggestion, why cannot a motion—why is not a motion proper and entertainable by the Chair to recommit a bill for the purpose of amendment?

Mr. Speaker.—The Chair has stated to the gentleman from New York that his amendment will be considered—

Mr. Green.—Yes, and without the Chair reserving any rights in the future or hereafter to say which amendment is permitted—any motion—I want that to go on the record!

Mr. Speaker.—The gentleman's statement is on the record.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Mohring	Schoeneck
Apgar	Dean	Hays	Murphy	Sears
Axtell	De Graw	Heller	O'Connell	Sharkey

Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Post	Smith J T
Bedell	Evarts	Johnson	Poth	Snyder
Beede	Fallows	Juengst	Redington	Sprague
Boland	Fancher	Kane	Riedman	Stoneman
Brennan E C	Farrell	Kelley E E	Rierdon	Streifler
Brennan J F	Fish	Kelly G T	Roberts	Sullivan T P
Brewster	Fitzgerald	Kelsey	Roche	Ten Eyck
Bryan	Fordyce	Kullman	Rodenbeck	Thorn
Bulkley	Fowler	Lewis M E	Rogers	Torborg
Burnett	Gale	Lewis T D	Rowe	Trainor
Cain	Gallagher	Litchard	Russell	Tripp
Clark	Gardiner	Maher	Sabine	Vincent
Collier	Gleason	Mangin	Sage H M	Ware
Collins	Gould	Martin	Sage S B	West
Costello	Graham	Mason	Sanders	Whipple
Cottle	Green	Mazet	Sandford	Wilson
Cotton	Greenwood	McEwan	Sands	Wingenfeld
Coughtry	Grossman	McInerney	Sawyer	Wissel
Cowles	Guider	McMillan	Schmid A F	Witter
Cross	Hallock	Meister		

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Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker stated the question to be upon the motion of Mr. Hoffman to recommit said bill for amendment.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hoffman and it was determined in the negative.

{ AYES 37 }
{ NOES 105 }

Those who voted in the affirmative, were

Adler	Fitzgerald	Kelly G T	O'Connor	Sharkey
Baum	Green	Kullman	Palmer	Sloane J J
Brennan J F	Grossman	Maher	Phillips	Smith J E
Collins	Harburger	Mangin	Poth	Streifler
Dean	Heller	Meister	Rierdon	Sullivan T P
Dillon	Henderson	Meyer	Roche	Trainor
Egan	Hoffman	O'Connell	Sanders	Wissel
Finn	Hutton			

Those who voted in the negative, were

Allds	Coughtry	Gould	McEwan	Schmid F
Apgar	Cowles	Graham	McInerney	Schoeneck
Axtell	Cross	Greenwood	McMillan	Sears
Babcock	Darrison	Guider	Mohring	Siems
Baker	Davis	Hallock	Murphy	Slater
Ball	De Graw	Hatch	Paris	Sloane C A
Barrett	Delaney	Hays	Patton	Smith J T
Bedell	Doughty	Henry	Post	Snyder
Beede	Dutton	Hill	Redington	Sprague
Boland	Ellis	Hitchcock	Riedman	Stoneman
Brennan E C	Evarts	Johnson	Roberts	Ten Eyck
Brewster	Fallows	Juengst	Rodenbeck	Thorn
Bryan	Fancher	Kane	Rogers	Torborg
Bulkley	Farrell	Kelley E E	Rowe	Tripp
Burnett	Fish	Kelsey	Russell	Vincent
Cain	Fordyce	Lewis M E	Sabine	Ware
Clark	Fowler	Lewis T D	Sage H M	West
Collier	Gale	Litchard	Sandford	Whipple
Costello	Gallagher	Martin	Sands	Wilson
Cottle	Gardiner	Mason	Sawyer	Wingenfeld
Cotton	Gleason	Mazet	Schmid A F	Witter

Debate was had on said bill, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 103 }
{ NOES 41 }

Those who voted in the affirmative, were

Allds	Coughtry	Graham	McInerney	Schmid F
Apgar	Cowles	Greenwood	McMillan	Schoeneck
Axtell	Cross	Guider	Mohring	Sears
Babcock	Darrison	Hallock	Murphy	Slater
Baker	Davis	Hatch	Paris	Sloane C A
Ball	De Graw	Hays	Patton	Smith J T
Barrett	Doughty	Henry	Post	Snyder
Bedell	Dutton	Hill	Redington	Sprague
Beede	Ellis	Hitchcock	Riedman	Stoneman
Boland	Evarts	Johnson	Roberts	Ten Eyck
Brennan E C	Fallows	Juengst	Rodenbeck	Thorn
Brewster	Fancher	Kane	Rogers	Torborg
Bryan	Farrell	Kelley E E	Rowe	Tripp
Bulkley	Fish	Kelsey	Sabine	Vincent
Burnett	Fordyce	Lewis M E	Sage H M	Ware
Cain	Fowler	Lewis T D	Sage S B	West
Clark	Gale	Litchard	Sandford	Whipple
Collier	Gallagher	Martin	Sands	Wilson
Costello	Gardiner	Mason	Sawyer	Wingenfeld
Cottle	Gleason	Mazet	Schmid A F	Witter
Cotton	Gould	McEwan		

Those who voted in the negative, were

Adler	Finn	Hutton	O'Connor	Sharkey
Bashford	Fitzgerald	Kelly G T	Palmer	Siems
Baum	Green	Kullman	Phillips	Sloane J J
Brennan J F	Grossman	Maher	Poth	Smith J E
Collins	Harburger	Mangin	Rierdon	Streifler
Dean	Heller	Meister	Roche	Sullivan T P
Delaney	Henderson	Meyer	Russell	Trainor
Dillon	Hoffman	O'Connell	Sanders	Wissel
Egan				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1455) entitled "An act to amend chapter 112 of the Laws of 1896, and the act amendatory thereof, relative to restrictions on the traffic in liquor in connection with other business" (Int. No. 423), having been announced for a third reading,

Mr. Hatch moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith amended as follows:

Page 2, line 20, strike out all after the word "communicating" and all of lines 21, 22, 23, 24 and 25, and insert in place thereof the following: "any three of the following named branches of business combined shall be assessed under subdivisions one and two of section eleven of this act, or receive a liquor tax certificate under subdivisions one or two thereof:

- "1. Dealing in furniture;
- "2. Dealing in household furnishing goods;
- "3. Dealing in dry goods;
- "4. Dealing in groceries and provisions."

Page 2, strike out all of section 2, and insert in place thereof the following:

"§ 2. This act shall take effect on the first day of May, eighteen hundred and ninety-nine."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Greenwood, from the committee on excise, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1458) entitled "An act to amend chapter 253 of the Laws of 1885, relative to the investment of the trust funds of the Buffalo city cemetery" (Int. No. 837), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Heller	Miles	Schmid F
Allds	Delaney	Henderson	Mohring	Schoeneck
Apgar	Dillon	Hill	Murphy	Sears
Axtell	Doughty	Hitchcock	O'Connell	Sharkey
Babcock	Dutton	Hoffman	O'Connor	Siems

Baker	Ellis	Hutton	Palmer	Slater
Ball	Evarts	Johnson	Paris	Sloane C A
Barrett	Fallows	Juengst	Patton	Sloane J J
Baum	Fancher	Kane	Phillips	Smith J E
Bedell	Farrell	Kelley E E	Pickett	Smith J T
Beede	Finn	Kelly G T	Poth	Snyder
Boland	Fish	Kelsey	Redington	Stoneman
Brennan E C	Fitzgerald	Kullman	Rierdon	Streifler
Brennan J F	Fordyce	Lewis M E	Roberts	Sullivan T P
Brewster	Fowler	Lewis T D	Roche	Sullivan W J
Brown	Gale	Litchard	Rodenbeck	Ten Eyck
Bryan	Gallagher	Maher	Rogers	Thorn
Burnett	Gardiner	Mangin	Rowe	Torborg
Cain	Gleason	Martin	Russell	Trainor
Clark	Gould	Mason	Sabine	Tripp
Collier	Graham	Mazet	Sage H M	Vincent
Collins	Green	McEwan	Sage S B	Ware
Oottle	Greenwood	McInerney	Sanders	Whipple
Cotton	Grossman	McKeown	Sandford	Wilson
Coughtry	Guider	McMillan	Sands	Wingenfeld
Cowles	Hallock	Meister	Sawyer	Wissel
Darrison	Harburger	Meyer	Schmid A F	Witter
Davis	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1457) entitled "An act to amend 'The Greater New York Charter,' relative to the legislative department" (Int. No. 959), having been announced for a third reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

The bill (No. 1456) entitled "An act to amend 'The Greater New York Charter,' relating to the appointment of justices of the court of special sessions and city magistrates" (Int. No. 292), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

The Senate bill (No. 507) entitled "An act to amend chapter 143 of the Laws of 1861, entitled 'An act to amend and consolidate the several acts in relation to the charter of the city of Rochester,' relating to the board of education of such city" (Rec.

No. 125), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Miles	Sears
Allds	Davis	Hallock	Mohring	Sharkey
Apgar	Dean	Harburger	Murphy	Siems
Axtell	De Graw	Hatch	O'Connell	Slater
Babcock	Delaney	Heller	O'Connor	Sloane C A
Baker	Dillon	Henderson	Palmer	Sloane J J
Ball	Doughty	Henry	Patton	Smith J E
Barrett	Dutton	Hill	Phillips	Smith J T
Bashford	Egan	Hitchcock	Pickett	Snyder
Baum	Ellis	Hutton	Post	Sprague
Bedell	Evarts	Johnson	Poth	Stoneman
Beede	Fallows	Kane	Riedman	Streifler
Brennan E C	Fancher	Kelley E E	Roberts	Sullivan T P
Brennan J F	Farrell	Kelly G T	Rodenbeck	Sullivan W J
Brewster	Finn	Kelsey	Rogers	Ten Eyck
Bryan	Fish	Kullman	Rowe	Thorn
Bulkley	Fitzgerald	Lewis M E	Russell	Torborg
Burnett	Fordyce	Lewis T D	Sabine	Trainor
Cain	Fowler	Maher	Sage H M	Tripp
Clark	Gale	Mangin	Sage S B	Vincent
Collier	Gallagher	Martin	Sanders	Ware
Collins	Gardiner	Mazet	Sandford	West
Costello	Gleason	McEwan	Sands	Whipple
Cottle	Gould	McInerney	Sawyer	Wilson
Cotton	Graham	McKeown	Schmid A F	Wingenfeld
Coughtry	Green	McMillan	Schmid F	Wissel
Cowles	Greenwood	Meister	Schoeneck	Witter
Cross	Grossman	Meyer		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Pursuant to notice, Mr. West called up the Senate bill (No. 438) entitled "An act to collect and preserve from loss or injury, any

and all wampums which the Onondaga nation of Indians, or its wampum-keeper, or any of the Ho-de-no-sau-nee, otherwise known as the Five Nations, or the Six Nations, or the Iroquois, is entitled to possess" (Rec. No. 41), heretofore laid aside on the order of second reading.

Said bill was then read the second time.

On motion of Mr. West, said bill was placed on the order of third reading.

Pursuant to notice, Mr. Delaney called up the bill (No. 1466) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city relative to city funds, unpaid audits, over drafts and deficits'" (Int. No. 982), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Delaney moved to amend said bill as follows:

Page 5, line 14, strike out the word "thirty-nine" and substitute the word "fifty-seven."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill, as amended, was then read the second time.

On motion of Mr. Delaney, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

Mr. Kelsey in the chair.

Pursuant to notice, Mr. E. C. Brennan called up the bill (No. 1114) entitled "An act to authorize the construction of a bridge over the East river, in the city of New York, and to provide for the use thereof by railroad companies, bicyclists, trucks, carriages and foot passengers" (Int. No. 19), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. E. C. Brennan, and by unanimous consent, said bill was made a special order on third reading for to-morrow at 12 o'clock noon, immediately after the reading of the journal.

By unanimous consent, Mr. Finn called up the bill (No. 27), entitled "An act to regulate the sale and use of air and spring guns

pistols in the cities of this State" (Int. No. 27), which was lost on March 8th, and moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion to take from the table, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote by which said bill was lost, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 126 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Grossman	McMillan	Sawyer
Apgar	Davis	Guider	Meister	Schmid A F
Axtell	Dean	Hallock	Meyer	Schmid F
Babcock	De Graw	Harburger	Miles	Sears
Baker	Delaney	Hatch	Mohring	Sharkey
Ball	Dillon	Hays	Murphy	Siems
Barrett	Doughty	Henderson	O'Connell	Slater
Baum	Dutton	Henry	O'Connor	Sloane C A
Bedell	Egan	Hill	Palmer	Sloane J J
Beede	Ellis	Hitchcock	Patton	Smith J T
Brennan E C	Everts	Hoffman	Phillips	Snyder
Brennan J F	Fallows	Johnson	Pickett	Stoneman
Brewster	Fancher	Juengst	Poth	Streifler
Bryan	Farrell	Kane	Redington	Sullivan W J
Bulkley	Finn	Kelly G T	Riedman	Sullivan T P
Burnett	Fish	Kelsey	Roberts	Ten Eyck
Cain	Fitzgerald	Kullman	Roche	Thorn
Clark	Fordyce	Lewis T D	Rodenbeck	Torborg
Collier	Fowler	Litchard	Rogers	Tripp
Collins	Gale	Maher	Russell	Vincent
Costello	Gallagher	Mangin	Sabine	West
Cottle	Gardiner	Martin	Sage H M	Whipple
Cotton	Gould	Mason	Sage S B	Wilson
Coughtry	Graham	Mazet	Sanders	Wissel
Cowles	Green	McInerney	Sandford	Witter
Cross	Greenwood			

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 93 }
{ NOES 25 }

Those who voted in the affirmative, were

Apgar	Doughty	Hill	Palmer	Siems
Axtell	Egan	Hitchcock	Patton	Slater
Babcock	Ellis	Hoffman	Phillips	Sloane C A
Baker	Evarts	Hutton	Pickett	Sloane J J
Ball	Fancher	Juengst	Post	Smith J E
Bashford	Farrell	Kane	Poth	Smith J T
Baum	Finn	Kelly G T	Redington	Snyder
Boland	Fitzgerald	Kullman	Riedman	Streifler
Brennan J F	Fordyce	Lewis T D	Rierdon	Sullivan T P
Burnett	Gale	Litchard	Roberts	Sullivan W J
Cain	Gallagher	Mangin	Roche	Ten Eyck
Collins	Greenwood	Mazet	Rowe	Thorn
Cotton	Grossman	McEwan	Sage S B	Torborg
Coughtry	Guider	McInerney	Sanders	Trainor
Cross	Harburger	Meister	Sawyer	Ware
Darrison	Hatch	Meyer	Schmid A F	Whipple
Dean	Hays	Mohring	Schoeneck	Wilson
Delaney	Heller	O'Connell	Sharkey	Wissel
Dillon	Henry	O'Connor		

Those who voted in the negative, were

Allds	Costello	Gleason	Mason	Sage H M
Beede	Cottle	Hallock	McMillan	Sands
Bryan	Davis	Kelley E E	Paris	Sprague
Bulkley	Fish	Kelsey	Russell	Vincent
Collier	Gardiner	Martin	Sabine	West

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Fallows, from the special committee of the Assembly appointed to investigate the Surrogate's Court and office of the county of New York, presented the report of said committee in the words following:

March 15, 1899.

To the Honorable the Assembly of the State of New York:

Your special committee of the Assembly was appointed by the Speaker thereof under and pursuant to a resolution of this Assembly adopted January 26, 1899, introduced upon motion of Mr. Edward H. Fallows, which was as follows:

Whereas, There has been general complaint regarding the due administration of, and the proper conduct of business in, the court and office of the surrogates of the county of New York; and

Whereas, It is deemed desirable in order that any necessary legislative act may be the more intelligently performed, that there should be a legislative investigation of the manner in which the various judicial and other duties are performed in the said court and office; therefore,

Resolved, That the Speaker of the Assembly be and he hereby is authorized to appoint seven members of the Assembly, who shall be a special committee of this body, with full power and authority to investigate all and singular the manner in which the various judicial, clerical and other duties are performed in the Surrogates' Court and office of the county of New York, and all matters and things in any way pertaining thereto, and with full power to prosecute its inquiries in any and every direction in its judgment necessary and proper to enable it to obtain and report the information required by this resolution; and further

Resolved, That for such purposes the said committee may employ a stenographer or stenographers, and one or more counsel, and such other assistants as may be necessary, and shall have the power to compel the production before it of any books, records, documents and other papers of any character, whether in said office of said surrogates or in the possession or custody of any person or corporation whatsoever, which, in the judgment of the committee, pertain to any matter or thing under investigation; and also to compel the attendance of any witness; such production of documents or attendance of witness to be required by subpoena signed by the chairman of the committee or acting chairman or one of the counsel to the committee; any member of said committee may administer the oath to any witness produced before it; said committee shall exercise and enjoy all the powers, privileges and authority of a legislative committee, with full power to enforce its directions and mandates. Any member or members of this committee and its counsel and assistants shall have access at all times during the life of the committee to all books, records, papers and other documents on file in the office of the said court or any department thereof, or used or employed in the conduct of the business of said court or office or the work of

said surrogates, or temporarily or permanently in the custody or possession of either surrogate, or any clerk, assistant, stenographer or other employee in said office, pertaining to surrogates' business; and the hearings before said committee may be held both in the counties of Albany and New York; and be it further

Resolved, That the said committee shall commence its investigation at once, and shall so conduct the same as to make its report to the Assembly on or before the fifteenth day of March, 1899, to the end that whatever remedial legislation or other legislative act may, in the judgment of the Legislature, be required in the interests of justice and for the public good may be enacted or taken during the present session of the Legislature. The Sergeant-at-Arms of the Assembly shall attend said committee, and shall serve or cause to be served all subpoenas issued by the committee and perform all duties as Sergeant-at-Arms required by said committee.

On the 3d day of February, 1899, your committee made a *preliminary report* to the Assembly of its proceedings up to that time, which, after reciting such resolution of January 26, 1899, was as follows:

That immediately upon our appointment such steps and proceedings were had; that your committee duly organized, employed counsel, stenographers, clerks and proceeded with the investigation of the Surrogates' Court and office of the county of New York.

That your committee, through its aforesaid chairman and counsel forthwith caused to be made an extensive examination of the records and papers on file in said office, and caused the clerks in said office to be investigated and examined in connection therewith. That the said chairman and counsel examined the papers and records showing the appointment by the surrogates of said county, of special guardians, referees, appraisers, appraisers in transfer tax matters, and temporary administrators. That your committee, through its aforesaid chairman and counsel, caused to be made examinations as to the appointees of the said surrogates for these various positions and the amount of allowances awarded by the surrogates to the said appointees. That your committee, through the aforesaid chairman and counsel caused to be made an examination in regard to the private law practice of Surrogate John H. V. Arnold, and the relations of his various appointees to him and to his law office. That your committee, through its aforesaid chairman and counsel made an investigation and examination relative to the numerous cases which were submitted to Surrogate Arnold and in which the decisions of said matters so submitted have been delayed for an unreasonable and unwar-

ranted time. The chairman and counsel of your committee received and your committee were receiving much volunteer information from a great number of members of the bar and from parties in interest in various proceedings relating to such delay; and your committee were proceeding in all of these various branches of inquiry to obtain additional data and to procure further evidence, when, at this stage of their investigation your committee was advised that Surrogate John H. V. Arnold had resigned his office as a surrogate of the county of New York, and your committee is informed that his said resignation in writing, duly signed and executed, has already been forwarded to the honorable, the Secretary of State of the State of New York.

That inasmuch as Honorable Frank T. Fitzgerald, a surrogate of the county of New York, does not appear to have been responsible for the abuses which your said committee was engaged in investigating and inasmuch as your said committee, in the manner aforesaid, has already acquired such necessary information as will enable it to frame the proper and remedial legislation or other legislative act which may in the judgment of the Legislature be required in the interest of justice and for the public good, and with a view of saving expense to the State, it has seemed advisable to your committee to make this preliminary report.

That your committee does not deem itself justified after the resignation of Surrogate Arnold in imposing upon the State further investigation.

That your committee will in due time report a bill or bills to remedy such abuses as have been found in the surrogates' office as may properly be remedied by legislation.

All of which was respectfully submitted and signed by all of the members of the committee.

In making this, its final report, to this Assembly, your special committee desires to indicate, not only the conditions represented to your special committee to exist in the practice in the Surrogates' Court in the county of New York, but also somewhat fully the character of its investigation and inquiry as to whether these conditions actually existed in order to a clear apprehension of the nature and extent of the recommendations based upon such investigation and inquiry.

With a view to clearness of statement your special committee has deemed it wise to indicate in respect of each of the special causes of complaint, the nature of the considerations which led up to the recommendations suggested thereby, and to discuss in their several appropriate connections, these recommendations somewhat at length, grouping them, however, in proper sequence at the end of this report.

CONDITIONS COMPLAINED OF.

In order that the recommendations hereinafter suggested may be intelligently considered by this Assembly it seems proper that the conditions found to exist in the office and court of the surrogates in the county of New York should be set out in some detail. This is done in the conviction that if the Assembly is thoroughly informed in substance of all circumstances which have been brought to the notice and knowledge of your special committee you will be satisfied that the legislation hereinafter suggested is not only expedient but imperative.

FIRST CAUSE OF COMPLAINT.

DELAY IN THE DETERMINATION OF MATTERS PENDING IN THE SURROGATES' COURT IN THE COUNTY OF NEW YORK.

It will be recalled that this was the main consideration which originally occasioned the appointment of your special committee. It had been claimed that a large number of matters pending in the court had been delayed in the determination thereof from periods ranging from one month to nearly five years. These complaints had, however, been so vague and general in their character that it was felt to be important that the actual facts and situation should be laid before the special committee in such a way that they could determine whether they called for any action on the part of this Assembly.

When your special committee was organized it had before it the results of the labor of its chairman, who had made personal exhaustive searches into the records of the surrogates' office along the various lines of general complaint as to the administration of the office, and a concise schedule prepared by him and known to the special committee and described as Schedule No. 12-A, together with reports made by certain members of the New York Bar who had cooperated with your special committee's chairman and had collated and tabulated the complaints made by various firms of lawyers all over the city. Using these data as a starting point, your special committee at once employed a force of clerks who entered upon an investigation of the records in the surrogates' office, first along this and later along other lines of inquiry enumerated below. By some of these clerks, under the direction of Mr. George M. Judd, of whose efficient, conscientious and thorough work your special committee takes this opportunity of recording its appreciative recognition, there was begun a second and fuller schedule of all the cases pending undetermined in that court so far as the same could be ascertained from the record books and papers in that office. This schedule, known to your special committee and described as Schedule No. 3-A, showed a

very large number of cases, dating back in some instances to the early part of 1894, upon which no decision had been made. The character of many of these cases was found to be such that the delay in the determination of them was working hardship and even a denial of justice to the parties in interest.

To illustrate, in one of the cases which had been pending since 1894 undetermined, the facts were represented to be as follows: The representatives of the decedent were charged with a devastavit or improper use or application of the moneys in their charge; the proceeding brought, sought to prevent any further diversion of the moneys which it was claimed amounted to many thousand dollars per annum. In the judgment of your special committee, assuming such charge to have been true, it was manifest that to suspend decision in this proceeding for upwards of four years, during which there was no stay, and hence there was possible a continuance of the course of conduct complained of, was to deny the petitioner the relief demanded even more effectively than by an adverse decision, while at the same time the petitioner was deprived of the relief available by way of appeal to a higher court.

It must, however, be said that there were cases returned upon these schedules in regard to which your special committee ascertained through interviews had with the attorneys representing the parties in interest that the delay in determination was at the express request of counsel representing all parties upon consent of all parties and for prudential reasons. But leaving such cases, so far as they could be ascertained, out of consideration, the schedules revealed a condition which in the judgment of your special committee was serious and called for immediate action. It is only just to the present incumbents of the office of surrogates in the county of New York, however, to state that the complaints in this regard were directed almost exclusively against John H. V. Arnold, whose resignation reported to this Assembly in your special committee's report of February third, renders it unnecessary to make further extended reference to this condition; but your special committee is satisfied that it is a condition arising out of and dependent upon the personal equation, and it is a matter calling for the exercise by the Bar Association in the city of New York of its most ordinary and obvious function.

There was, however, reported to your special committee as a partial cause of this delay the fact that the surrogate complained of was engaged in the active practice of the law as an attorney and counsellor, conducting a large business at an office on Broadway in the city of New York. In order to verify the charges laid before your special committee in this regard inquiry was made through the industry of members of the Bar who volunteered their services at this stage of the proceedings to assist your special

committee, and searches were put upon the records in the office of the register of the county of New York by whom a schedule was begun showing a large number of titles which from these records appeared to have passed through the office of John H. V. Arnold as counsel, the deeds and other instruments having been recorded at his request.

But while this line of inquiry was proceeding it was brought to your special committee's attention that at the last Constitutional Convention, at which both the then surrogates of the county of New York attended, the prohibition against the practice of the law by those surrogates had been limited so far as the latter officers were concerned in the county of New York to surrogates "hereafter (i. e., after the new Constitution should have gone into effect) elected in counties having a population exceeding one hundred and twenty thousand." Consequently, both of the surrogates of the county of New York in office at the time of the going into effect of such Constitution had the legal right to practice law. This prohibition so far as that county is concerned will first operate only upon the surrogate who may be elected this fall to succeed the Hon. James M. Varnum, and upon the surrogate elected to succeed the Hon. Frank T. Fitzgerald whenever his term of office may expire. Whatever views, therefore, might be expressed as to the propriety of conducting private practice by such surrogates in the county of New York, the resignation of the only one against whom the charge had been specifically laid, and the fact that the right is expressly reserved by the present Constitution, removes this matter from the cognizance of your special committee.

Nevertheless, there are two recommendations in this connection which, after careful consideration, commend themselves to your special committee as likely in a measure to ameliorate the conditions which have existed in the county of New York. One of the most important classes of cases in which delays appeared to have occurred was where referees' reports upon accountings had been filed and exceptions thereto had been presented under rule 8 of the Surrogates' Court in the county of New York; and delays having been frequent in this class of cases, an amendment was, in 1895, enacted by the Legislature (see chapter 796 of the Laws of 1895), by which there was added to section 2546 of the Code of Civil Procedure as it then stood the following provision: "A referee's report must be passed upon and confirmed, approved, modified or rejected by a surrogate within sixty days after it has been submitted to him." It will be seen that here was a provision mandatory in form intended to meet an existing evil, and yet by reason of the fact, familiar by its repeated occurrence, that no penalty was provided for not complying with the provision, this law be-

came, in the county of New York where the evil existed which it was designed to meet, virtually a dead letter. It may be urged that parties had the right to mandamus a surrogate under this section as thus amended; but it is well known that this remedy is difficult of enforcement, it is rarely that parties will resort to it, and it takes unusual circumstances and perhaps an unusual state of mind on the part of parties in interest to lead to its being availed of.

Your special committee, therefore, suggests that the amendment of 1895 be changed so as to read substantially as follows:

“Unless a referee’s report is passed upon and confirmed, approved, modified or rejected by a surrogate within sixty days after it has been submitted to him it shall be deemed to have been confirmed as of course and a decree to that effect may be entered by any party interested in the proceeding upon two days notice.”

Your special committee further suggests for the careful consideration of this Assembly that chapter 642 of the Laws of 1892, be amended so as to provide an incentive for expedition in the performance of their judicial duties by the surrogates.

It will be recalled that this is the act providing for two surrogates in the county of New York, chapter 642 of the Laws of 1892. Section 3 of this act provides that these surrogates shall severally be entitled to the salary theretofore received by the sole surrogate, payable monthly. The new Constitution provides that the salaries of surrogates shall not be increased or diminished during their term of office. Your special committee, having this provision of the new Constitution in mind, and believing that it will not be violated in letter or in spirit by the suggestion about to be made, recommends that section 3 be amended by adding the words “but neither surrogate shall be allowed to draw or to receive any monthly salary until he shall take and subscribe before an officer entitled to administer oaths and file with the Comptroller of the city of New York an affidavit to the effect that no matter or proceeding that has been submitted to him for decision then remains undecided for the period of ninety days.”

This recommendation is based upon a provision in almost identical language contained in the Constitution of the State of California with regard to judicial officers in that State. This provision has been construed by the Supreme Court of that State in the case of *Myers v. Canfield*, 62 Cal., 512, so that the meaning of the words, “for the period of ninety days” has been made clear as used in that State; and your special committee desires to be understood as using the words in the same sense. This does not operate, therefore, to diminish the salary of either surrogate. His salary is payable monthly under the act of 1892. If on the first

day of the month or on the last day of the month, according to the practice in that county, there are matters pending before him which have been "submitted to him for decision" for more than ninety days he can entitle himself to the immediate payment of his salary by disposing of them without further delay. In other words, the remedy is in his own hands.

Your special committee referred above to the fact that there were cases, the determination of which was withheld or suspended for prudential reasons at the request of counsel, and believes that such delays at times are required by the exigencies of particular proceedings. Such a provision would not interfere with such a practice as counsel would be able to secure this result, where necessary, by deferring the time of final submission to the surrogate for decision; and the surrogate would not be required to enumerate or refer to such proceedings in his affidavit of matters disposed of.

Your special committee has been informed that this procedure works well in the State to which it has referred; and it believes that no diligent officer could object to the enactment or enforcement of such a rule.

SECOND CAUSE OF COMPLAINT.

EXCESSIVE COST TO THE STATE OF COLLECTING THE TRANSFER TAX IN NEW YORK COUNTY.

Another condition complained of in regard to the county of New York was the practice in the collection of the transfer tax in connection with which it was strongly represented to the special committee that material saving could be effected to the State Treasury. In order that the facts in this regard might be fully and clearly before your special committee, we procured under subpoena certain testimony from the office of the State Comptroller, from the office of the Comptroller of the city of New York and from the office of the surrogates in the county of New York, the material part of which your special committee caused to be reduced to the form of schedules, which it has printed with this report and which will bear careful examination and study. It becomes important at this stage of the report to set forth for the information of the Assembly such part of the general law and such features of the *modus colligendi* of the tax as will illustrate the situation complained of. The Tax Law, being chapter 24 of the general laws, in article 10 thereof relating to taxable transfers, provides for certain employees or clerks in the county of New York for the express purpose of the collection of this tax, as follows:

In the office of the surrogates: One transfer tax assistant at \$4,000 a year; one transfer tax clerk at \$2,400 a year; one assistant clerk at \$1,800 a year; one recording clerk at \$1,300 a year; with an additional allowance for the surrogates' expenses of \$500 a year; making an annual allowance in the surrogates' office of \$10,000 a year.

In the district attorney's office there are: One transfer tax assistant whose salary is \$3,000 a year; one transfer tax clerk whose salary is \$2,400 a year; one surrogates' process server whose salary is \$1,200 a year; and a further sum of money for the district attorney's disbursements of \$500 a year; making in the district attorney's office \$7,100 a year, or a total for the two offices of \$17,100 a year. (See section 233 of chapter 24 of the general laws).

In addition to these disbursements which are directed to be paid by the Comptroller of the city and county of New York out of any funds he may have in his hands on account of the transfer tax, the Comptroller is also entitled to be paid or to retain out of such moneys the usual commissions for the collection of the tax which, it is provided by section 237 of chapter 24 of the general laws, shall be five per centum on the first \$50,000; three per centum on the next \$50,000, and one per centum on all additional sums, and so far as the Comptroller in the county of New York is concerned, these fees are in addition to any salary or fees now allowed by law to such officer. It is, therefore, easy to estimate the exact cost to the State of collecting this tax in the county of New York for the past five years:

The tax collected in the fiscal year ending September 30, 1894, was..	\$861,315 54	.....
Upon which at this rate the Comptroller's commissions were.....	.....	\$11,613 16
The tax collected in the fiscal year ending September 30, 1895, was..	1,100,364 30	.....
Upon which at this rate the Comptroller's commissions were.....	.....	14,003 64
The tax collected in the fiscal year ending September 30, 1896, was..	1,073,407 85	.....
Upon which at this rate the Comptroller's commissions were.....	.....	13,073 71
The tax collected in the fiscal year ending September 30, 1897, was..	1,100,696 01	.....
Upon which at this rate the Comptroller's commissions were.....	.....	14,006 96

The tax collected in the fiscal year ending September 30, 1898, was..	\$1,222,265 15	
Upon which at this rate the Comptroller's commissions were.....	.....	\$15,222 65
Making a total tax collected in those five years of.....	5,358,048 85	.....
Upon which the Comptroller received	.....	\$67,919 82

Taking the last fiscal year for the purpose of illustration, the expense to the State of collecting the tax for that year was:

The Comptroller's commissions of.....	\$15,222 65
Salaries and expenses in the surrogates' office of....	10,000 00
Salaries and expenses in the district attorney's office of	7,100 00
Total	\$32,322 65

And this is exclusive of the appraisers' fees discussed below.

With a view to determining the exact character of the services rendered by the Comptroller of the city and county of New York for these commissions, your special committee subpoenaed the Deputy Comptroller, Mr. Edgar J. Levy, having supervision and full knowledge of the transfer tax department in that office (whose testimony is set out in this report), and who testified that the work connected with the collection of this tax in that office was done by two clerks, both of whom were on the pay-roll of the office anyhow; who performed other duties in the office besides those connected with the collection of this tax and whose salaries were not increased by reason of the duties performed by them in connection with the collection of this tax. He further testified that he himself was an attorney-at-law and appeared for the comptroller when appearance by attorney was requisite and that payment for such services so rendered by him, if any were required, was made by the comptroller out of the commissions received by him from the State. Your special committee gathered from his testimony that these services were not frequent or arduous in character and not a source of large income to the witness, and on the other hand not likely to largely reduce the commissions received by the comptroller. It must be noted in this important connection that it is made the duty of the district attorney by the taxable transfer law to institute and prosecute all compulsory proceedings for the payment of this tax that are required by the comptroller, to provide for which doubt-

less was the intent of the provision giving the district attorney transfer tax assistants. The district attorney is also allowed costs in all these proceedings.

The second, however, and more considerable element of expense to the State in collecting the transfer tax is the cost of the proceedings incidental to its appraisal. The provisions of the act with regard to this element of expense are contained in sections 230 and 231 which relate, a: to the appointment of appraisers to fix the fair market value, at the time of the transfer thereof, of property of persons whose estates shall be subject to the payment of any tax imposed by Article X; b: to the proceedings by such appraisers, and c: to the fees of such appraisers. The duties of these appraisers are clearly set out in the act and the extent and the manner of performance thereof were described in some detail before your special committee. Except in unusual cases the practice seems to be as follows: The representative of the estate or his attorney appears upon the day fixed by the appraiser and files a statement verified showing the property of the decedent, its character and its value; and these valuations in the large run of cases are usually the valuations ultimately fixed by the appraiser upon which the tax payable to the State is computed. The appraiser is entitled under the act to be paid on the certificate of the surrogate "at the rate of \$3 per day for every day actually and necessarily employed in such appraisal," in addition to actual and necessary traveling expenses and witnesses fees. It seems to have been the custom of those appointed appraisers in the county of New York to certify to their services rendered substantially in the following form:

" , the appraiser in the above matter, appointed by the surrogate, made and entered on the day of , being duly sworn, says, that he was actually and necessarily employed as such appraiser on the days mentioned below, to wit:"

Then follows in each case an enumeration of these days by month and year, and for every day so enumerated the appraiser charges the full rate allowed by the act.

Mr. Pindar testified, selecting cases at random from the files of his office and taking an equal number from appraisals made by two of those between whom the bulk of this patronage has been divided, that affidavits had been filed showing time "actually and necessarily employed in such appraisals" to have been, for example, as much as 34 days in one case, and yet that the ultimate appraisal was identical in dollars and cents with the valuation set out in the original verified statement submitted by the executors. At the request of the special committee, Mr. Pindar prepared from

the records in the office of the State Comptroller schedules which were marked in evidence [and which are printed herewith at pages (post),] which show the gross amounts paid to appraisers for the same period above referred to for the appraisal of estates in the county of New York alone and from these schedules it appeared that the total amount paid in the county of New York for that time, that is up to the end of the fiscal year ending September 30th, 1898, in appraisers' fees was \$181,781, or an average *per estate* appraised:

For the fiscal year ending September 30, 1898, of.....	\$70 34
For the fiscal year ending September 30, 1897.....	48 79
For the fiscal year ending September 30, 1896.....	53 20
For the fiscal year ending September 30, 1895.....	53 88
For the fiscal year ending September 30, 1894.....	44 39

Schedule 14-a, prepared by Mr. Pindar, showed in summary form the total cost of appraisal for the period specified in such schedule for each county in the State. This schedule shows the name of the county, the total number of estates appraised, the total cost of the appraisal and the average cost per estate. There is none of these other counties which compares in the cost of appraisal per estate with the county of New York. The one nearest approaching it is the county of Warren where the average of \$44.27 is based upon a gross number of 50 estates, and the high average is manifestly caused by the fewness of the estates.

	Per estate.
In the county of Kings where 2,488 estates were appraised the cost to the State was.....	\$15 52
In the county of Erie where 716 estates were appraised, the cost was	26 80
In the county of Westchester where 470 estates were appraised the cost was.....	27 27
In the county of Albany where 483 estates were appraised the cost was	19 90
In the county of Monroe where 360 estates were appraised the cost was	15 01
In the county of Oneida where 410 estates were appraised the cost was	18 19

With this condition before your special committee, to wit, the large amount of time certified to by these appraisers as actually and necessarily occupied in the act of appraisal, in the judgment of your special committee out of all proportion to the time which ought reasonably to be required for such act, your special com-

mittee caused to be investigated for purposes of comparison the methods in the county of New York with regard to the certifying by officers of this character to the amount of their services in given cases, and schedules were accordingly prepared with great care showing the amount of days certified to by some of these appointees as actually and necessarily occupied in the exercise of their functions as transfer tax appraisers, special guardians in transfer tax proceedings, special guardians in probates contested and uncontested or as referees, so far as the records of the patronage bestowed upon these various appointees rendered it possible. This schedule is known to the special committee and described as schedule No. 11-a.

To illustrate again, for services rendered by him in various capacities during the month of March, 1898, Gilbert W. Minor received allowances for 316 days' work as transfer tax appraiser, for 62 days' work as special guardian, for 140 hours as referee; and yet there were only 27 working days in this month.

The character of the affidavit of services by transfer tax appraisers has already been indicated. It may be added that the affidavits of services by special guardians usually contain the expression that the special guardian has been employed "the material part of the following days," whereas the affidavit of services by referees usually specifies the number of hours "actually and necessarily" employed by such referee. By a careful examination and tabulation of the dates set forth in these various affidavits, taking the names of two or three appointees who seemed to have enjoyed more than one kind of patronage, the special committee was able to discover that in some months, containing for example 25 working days, some of these diligent officers had put in as many as 437 days' work in various proceedings, these proceedings entitling these appraisers or guardians to payment at the rate of so much per day actually and necessarily employed. They were thus enabled to reap a large and generous harvest at the expense of the State and estates subjected to the benefit of their services. In the judgment of your special committee, the statutes of the State providing for per diem allowances to officers of this character contemplates the payment of the sum specified in the statute for a day's work. This seems to be manifest from the expression "at the rate of — dollars per day," and from the words "actually and necessarily employed." In the case of referees, the character of whose services is recognized to be on a higher plane than that of a mere appraiser, the statutory fee is fixed at ten dollars. For transfer tax appraisers the fee is fixed at three dollars, for inventory appraisers the fee is fixed at five dollars, but it hardly seems to have been the intent of the statute that an appraiser by devoting a minute fraction of each day to the

partial consideration of sixteen or more distinct proceedings, and by doing this for sixty or more successive days in each proceeding should entitle himself to full statutory fees at the per diem rate in each of such proceedings. In the case of inventory appraisers it was impossible for your special committee to form any conception of the gross amounts received by these officers, as will be noted further on in this report. In the case of transfer tax appraisers the figures have already been collated by the industry of Mr. Pindar under the subpoena of this special committee. Taking this element of expense in connection with that already adverted to, it will be seen that the total cost to the State for the fiscal year ending September 30, 1898, of collecting the transfer tax in the county of New York was as follows:

The amount paid by the State to appraisers alone in the fiscal year ending September 30, 1898, appears from schedule 13a to have been, to—

Gilbert W. Minor.....	\$16,185 00
George M. Curtis, Jr.....	2,154 00
Rastus S. Ransom.....	1,425 00
Charles S. Wilbur.....	4,914 00
Walter H. Coggeshall.....	5,058 00
Charles H. Russell.....	2,538 00
George P. Webster.....	1,359 00
Max L. Ransom.....	1,299 00
Charles D. O'Connell.....	11,703 00
<hr/>	
Total	\$46,635 00
Adding to this the total already noted.....	32,222 65
<hr/>	
We have a grand total of.....	<u>\$78,857 65</u>

the cost to the State of collecting in the county of New York the sums of \$1,222,265.15, or nearly six and one-half per centum.

It is believed that for the actual work done through the city comptroller's office in these proceedings a maximum beyond which his annual commissions should not go, should be fixed, say, \$7,500. And if in addition to this economy it should seem advisable to this Assembly to provide, as hereinafter recommended, for five salaried official appraisers at \$4,500 per annum salary apiece, or \$22,500 in all, there would be a saving to the State annually in collecting this tax in this county alone of over \$32,000, on the basis of the tax collected in the fiscal year ending September 30, 1898.

Mr. Pindar, who has been at the head of the transfer tax de-

partment in the State Comptroller's office for the last six years and who showed a wonderful familiarity with the whole procedure in this connection, testified that in his personal judgment the whole work of appraisement in the county of New York could be done by, at the most, five appraisers under salary from the State. The estimate above made was based on his statement, the reasonableness of which appears from schedule 13a, in which it is shown that in the fiscal year ending September 30, 1898, there were appraised in the county of New York 663 estates.

Of these 201 were appraised by Gilbert W. Minor,

36 by George M. Curtis, Jr.,

19 by Rastus S. Ransom,

78 by Charles S. Wilbur,

85 by Walter H. Coggeshall,

59 by Charles H. Russell,

24 by George P. Webster,

25 by Max L. Ransom, and

136 by Charles D. O'Connell,

663 by nine men.

If, in the year 1898, Mr. Minor could appraise 201 estates and at the same time devote to his work as special guardian on accountings in 51 estates 543 material parts of days and 217 1-2 hours, earning \$6,445 thereby, and act as referee in 14 accountings to which he devoted 192 material parts of days and 171 1-2 hours and was allowed therefor \$3,190, it seems, in the humble judgment of your special committee, that five men working solely at the work of appraisal under the taxable transfer law and as officers of the State could easily handle six or seven hundred cases per annum.

One point more: For these appraisals the amount of time occupied by these several appraisers for the purpose of appraising these estates for that year is indicated by the amount of their fees exhibited upon the same schedule.

Gilbert W. Minor received for appraising 201 estates \$16,185, which at the rate of \$3.00 shows 5,395 days occupied in the act of appraisal;

George M. Curtis, Jr., received for appraising 36 estates \$2,154, which at the same rate shows 718 days employed;

Rastus S. Ransom received for appraising 19 estates \$1,425, which at the same rate shows 473 days employed;

Charles L. Wilbur received for appraising 78 estates \$4,914, which at the same rate shows 1,638 days employed;

Walter H. Coggeshall received for appraising 85 estates \$5,058, which at the same rate shows 1,686 days employed.

Charles H. Russell received for appraising 59 estates \$2,538, which at the same rate shows 846 days employed.

George P. Webster received for appraising 24 estates \$1,359, which at the same rate shows 453 days employed.

Max L. Ransom received for appraising 25 estates \$1,299, which at the same rate shows 433 days employed.

Charles D. O'Connell received for appraising 36 estates \$11,703, which at the same rate shows 3,901 days.

If it be true that in the majority of cases the result ultimately reached ought to have been arrived at on the basis of the verified statement furnished by the estate and the assistance afforded these appraisers by executors and administrators, there can be no question that this enormous annual disbursement can be materially reduced and a substantial saving be effected for the State, and one of your committee's chief recommendations as will be noted below is directed to this point.

Your special committee has thus indicated with great care the elements of expense to the State of this transfer tax appraisal. There is another element of expense which estates subjected to this proceeding have been, in the county of New York particularly, compelled to bear. That has been the fees of special guardians appointed in transfer tax appraisals, ostensibly to protect the rights of infant parties.

Several very interesting briefs were filed with your special committee upon this topic and your special committee was addressed publicly by Mr. Thomas W. Butts, associated with Mr. Townsend Wandell, by whom the issue had been squarely presented but without the result of a distinct determination by an appellate court that the appointment of special guardians in these proceedings was in all cases unnecessary, as was claimed by many.

Your special committee addressed to the surrogates throughout the State a letter, the substance of which was as follows:

"Dear Sir.—The committee which has been appointed by the Assembly to investigate the Surrogates' Court and office in the county of New York is desirous to inform itself thoroughly, before framing the proposed remedial legislation to correct certain abuses which have been alleged and shown to exist. To that end we should be under obligations to you if you would make out and forward to us the enclosed deposition specifying therein the customary allowance made in your office in the following proceedings:

A. Inventory appraisals; to appraisers.

B. Accounting proceedings; to referees; to special guardians.

- C. Probates, contested and uncontested; to special guardians.
- D. Transfers tax proceedings; to special guardians.
- E. Temporary administrators; allowances to counsel.

You will note of course that in many of these cases the allowance must depend upon the peculiar circumstances of each case but if you have any general rule or customary basis for your allowances, we believe that our work can be very much facilitated by the information you are in a position to give us."

Answers were received to this letter from nearly every surrogate in the State, and the special committee desires to record its appreciation of the courtesy of these surrogates, the replies from many of whom showed careful preparation and contained valuable detail. In response to the inquiry marked "D" in the above letter, the fact was elicited that few of these surrogates ever countenanced the appointment of a special guardian in these proceedings, and with the exception of one or two counties the fees allowed such special guardian, when occasion for their appointment existed, were very small. In order that the exact figures may be before the Assembly the following tabulation is of interest, which shows the only cases in which any allowance to special guardians in transfer tax proceedings was reported to your special committee:

Surrogate of Dutchess county reports: To special guardians in transfer tax proceedings \$10 per day.

Surrogate of Suffolk county reports: To special guardians in transfer tax proceedings I allow from \$5 to \$50, unless the matter is a special one, then I allow more.

Surrogate of Kings county reports: In transfer tax proceedings I have seldom appointed a special guardian, unless requested to do so, as I consider it an unnecessary expense. When so appointed, I allow them the usual \$10 a day.

Surrogate of Steuben county reports: To special guardians in transfer tax proceedings I think never more than \$5 for all services.

Surrogate of Franklin county reports: To special guardians in all proceedings, including assessment on transfer tax, not to exceed \$5 in ordinary cases, and never to exceed \$25.

Surrogate of Delaware county reports: An allowance to special guardians in these proceedings of \$3 if there is no contest; and \$10 per day where there is contest.

Surrogate of Fulton county reports: In transfer tax proceedings where a special guardian is necessary \$3 per diem is allowed, but in no case has aggregate reached \$15.

Surrogate of Richmond county reports: In transfer tax proceedings in but two cases has a special guardian been appointed.

Surrogate of Rensselaer county reports: That where there is no contest his uniform allowance to special guardians in all proceedings is \$5; where there has been a contest in good faith the allowance is \$70.

Surrogate of Clinton county reports: To special guardians in transfer tax proceedings he makes an allowance of \$3 per day.

Surrogate of Jefferson county reports: To special guardians in transfer tax proceedings generally nothing, or from \$2 to \$5, but an allowance is seldom made.

Your special committee is not prepared to recommend to this Assembly that the appointment of special guardians in transfer tax proceedings be prohibited. There may well be cases, and they may well be of frequent occurrence, in which the interests of persons under age may be such as to require a litigation of the transfer tax proceedings on behalf of such infants, and the power of the court to so protect such infants in such cases should not in any way be impaired. Your special committee feels, however, that there would be no necessity, even in such cases, for the appointment of such special guardians in these proceedings prior to the stage when the surrogate assumes in relation to these proceedings, the functions of a judicial officer as contrasted with his functions theretofore as a taxing officer. The Taxable Transfer Law (commonly so known) is so framed as that the functions of the appraiser whenever appointed are wholly subordinate to those of the surrogate, who is the real taxing officer; the appraiser is merely an assistant to the surrogate, who himself must fix the tax, and who has by virtue of the express language of the act full power himself, if he so desires, to appraise the property and fix the tax. It is, therefore, obvious that as soon as the order has been entered fixing the tax, that thereafter the surrogate sustains to the proceeding his customary relation of a judicial officer, and in that capacity is the conservator of the interests of all infants and incompetents who are interested in the estate. Every object sought to be secured by those who have litigated this question of the appointment of special guardians in these proceedings would, it seems to your special committee, be attained if, after the provision in article 10 of chapter 24 of the general laws, in section 232 thereof, which requires the surrogate "to give notice upon the determination by him as to the value of any estate which is taxable under this article and of the tax to which it is liable to all parties known to be interested therein, including the State Comptroller," there should be inserted a provision substantially as follows:

"If it appear at this stage of the proceedings that any of such parties known to be interested in the estate is an infant or an incompetent, the surrogate shall, if the interest of such infant or

incompetent is presently involved and is adverse to that of any of the other persons interested therein, appoint a special guardian of such infant; and nothing in this provision shall affect the right of an infant over fourteen years of age, or of any one on behalf of an infant under fourteen year of age, to apply for the appointment of a special guardian for such infant at any stage of the proceedings."

Recurring to the question of the expense to the State of collecting the transfer tax in the county of New York, your special committee recommends that the law be amended so as to provide for the appointment, to act in the county of New York, of five State transfer tax appraisers at salaries of \$4,500 apiece, by whom estates subjected to this tax or sought to be subjected to this tax in the county of New York shall be appraised. The number, five, is suggested in view of the recent amendment to the Tax Law making future estates presently taxable, which will increase the labor of appraisal under the act.

It is believed by your special committee that this will, in the first place, do away with the delays in the appraisal of estates in that county. An officer of the State, upon salary and subject to the direct control of the State Comptroller, will be without any motive to spin out the act of appraisal for the purpose of earning a large per diem fee. It may be thought that the performance of duty by a salaried official will not be as energetic or as diligent as that of an ordinary appointee of the surrogate; and this has been urged upon your special committee as indicating a possible weakness in the system recommended in this report. Your special committee, however, believes that the presumption that a public officer will faithfully perform his duties, particularly if under bond so to do, outweighs this speculative objection and should outweigh it in view of the fact that a saving as substantial as that above indicated would be thereby affected.

THIRD CAUSE OF COMPLAINT.

INVENTORY APPRAISALS.

One of the most interesting conditions in regard to the alleged abuses in the office and court of the surrogates in the county of New York, to investigate which your special committee was appointed, related to the proceedings by general appraisers, or, as they are more commonly known, inventory appraisers, of decedents' estates. These appraisers are those who are appointed by surrogates under section 2711 of the Code of Civil Procedure, which is as follows:

"Section 2711. Appointment of appraisers and appraisal.

On the application of an executor or administrator, the surro-

gate, by writing, must appoint two disinterested appraisers, as often as may be necessary, to appraise the personal property of a deceased person, who shall be entitled to receive a reasonable compensation for their services, to be allowed by the surrogate, not exceeding for each the sum of \$5 for each day actually employed in making appraisement, in addition to expenses actually and necessarily incurred. The number of days' services rendered, and the amount of such expenses, must be verified by the affidavit of the appraiser, delivered to the executor or administrator, and adjusted by the surrogate before payment of his fees. The executors and administrators, within a reasonable time after qualifying and after giving notice of at least five days to the legatees and next of kin, residing in the county where the property is situated, and posting a notice in three of the most public places of the town, specifying the time and place at which the appraisement will be made, must make a true and perfect inventory of all the personal property of the testator or intestate; and if in different and distant places two or more such inventories as may be necessary. Before making the appraisement, the appraisers must take and subscribe an oath, to be inserted in the inventory, that they will truly, honestly and impartially appraise the personal property exhibited to them, according to the best of their knowledge and ability. They must in the presence of such of the parties interested as attend, estimate and appraise the property exhibited to them, and set down each article separately with the value thereof in dollars and cents, distinctly, in figures opposite to the articles respectively."

The complaints in this regard were along two lines; first, that these appraisals served no useful purpose; and, second, that they had been made an instrument of what, in view of the disclosures subsequently made, your special committee has no hesitation in describing as a blackmailing of estates.

There was prepared for your special committee a schedule known as schedule No. 1-a, which contained in summary form, from the records of the Surrogate's court, the names of four appraisers who seemed to have received substantially all of this particular class of patronage from January 1, 1894, to February 1, 1899. From this schedule it appeared that John J. Butler had been appointed in that period 1,252 times, the total number of estates covered by the schedule being 1,449. Thomas E. Arnold for the same period received 519 appointments. Under the name of Frederick H. Chapin there appear to have been 579 appointments. Under the name Joseph F. Arnold there appear to have been 51 appointments.

It appeared in evidence before your special committee that except in cases where there had been a taxation of the fees of these

appraisers by the surrogate under section 2711 there was no record with the appraisal papers which indicated in any way the amount of the fees paid to these appraisers, and that the only way in which that amount could in the case of any given estate be ascertained in that court was by an examination of the final accounting, if any had been filed. It further appeared that to make an examination of all these final accounts was a labor which would take too long and would be too uncertain in its character to afford your special committee the light which it required. Names were accordingly selected at random from this schedule, No. 1-a, of attorneys who seemed to have been interested in a number of cases subjected to this proceeding; and these various attorneys were subpoenaed before your special committee, and the facts elicited in regard to the practice in these proceedings, the amount of fees paid and the general condition surrounding these statutory appraisals. The results were startling. It was repeatedly testified before your special committee that practitioners in the county of New York never thought of paying the original fees demanded by these appraisers, that it was taken as a matter of course that they could be beaten down from the original sum demanded, and that the only result of the provision in the statute as to the per diem allowance to such appraisers, which is \$5 per diem, was to delay the rendering of the appraisal by these officers in case of dispute of their fees in order that they might work out a sufficient number of days to justify the charge originally made. The method of doing this seems to have varied. If there were any feature of the estate which might justify the services of an expert accountant, that was alleged as a reason for delay in order to obtain more accurate results; if there were household furniture or personal effects at the residence of the deceased, the appraisers could consume parts of numerous days in careful and prolonged and annoying inspection of such effects.

In a case where the sole effects of the decedent consisted of a savings bank deposit, which was written up to date by the bank, and involved no labor of computation by the appraiser, and of a trunk of wearing apparel belonging to the decedent, who was a servant girl, the appraiser, John J. Butler, to justify the fee demanded for his services repaired to the place where the trunk was to be found and examined with minute detail the various articles of wearing apparel belonging to the decedent.

The stenographer's minutes of the public hearings at which these facts were brought out will bear careful reading, they will emphasize as no words of your special committee can emphasize the fact that a serious abuse existed, in regard to which your

special committee's chief thought is one of astonishment at the supineness of the Bar of the city of New York in submitting so long to so obvious an evil. Your special committee has given much patient thought to this particular feature of its investigation, and its recommendations are along two several lines; the first relates to the taxation of the fees of these appraisers.

Section 2711 already quoted above provides for an adjustment of these fees by the surrogate as a taxing officer. For some reason not clearly expounded to your special committee the practice of taxing these fees seems to have fallen into comparative disuse. One witness after another testified that they preferred to come to terms with these appraisers by negotiations of the character set out in their testimony rather than to subject themselves to the delays or risks of a taxation. Your special committee is not quite clear as to what these risks were, but possibly they were of the character indicated in the Cicot case, as to which A. Gordon Murray testified. The decedent was one of the victims of the Burgoyne disaster, and the net appraised estate was \$350. Of this your special committee ascertained through private inquiry that enough to reduce it to \$200 net was set apart to the husband in the way of furniture and personal effects. Upon this net estate of \$200 the appraisers demanded \$50 apiece. This having been refused, and the taxation allowed by section 2711 having been resorted to, these two appraisers were allowed by the surrogate \$35 apiece, or \$70 in all. There was nothing in the nature or extent of the services rendered, in the judgment of your special committee, to justify so large an allowance. There were other cases as to which testimony was not presented upon the public hearings reported confidentially to counsel for your committee and therefore not referred to here in specific detail. There the amount of the allowance was out of all proportion to the amount of the appraised estate.

In your special committee's judgment, therefore, in regard to this item alone, the provisions of section 2711, as to the adjustment of these fees, which as it stands is mandatory in form, should be made actually mandatory by requiring a taxation in every instance, which could be effected by providing that no executor or administrator should be credited upon his accounting for such fee or fees paid to appraisers unless the same shall have been so taxed. This would require, as shown by the recommendations hereinafter specifically made, an amendment to section 2565 and to section 2711 of the Code of Civil Procedure; and would, in the judgment of your special committee, put upon the executor and the surrogate the responsibility which each

ought, in the nature of the case, to bear, and would protect the persons interested in the estate from the payment of the excessive fees which seem heretofore to have been exacted. Your special committee, however, suspects that in many cases the consideration moving the representatives of estates to meet the demands of these appraisers may not infrequently lie in the desire of the executors to secure an appraisal at minimum valuations in order to avoid taxation by the city or State.

A second line along which your special committee's recommendation travels is due to the general feeling of those testifying before your special committee and of many members of the bar who addressed your special committee in the form of letters or briefs, for which assistance your special committee desires to hereby express its appreciation and thanks, that these statutory appraisals should be done away with altogether. Your special committee, however, realizes the value which in specific cases these appraisals may have. The Code of Civil Procedure, that part of it relating to surrogates' practice, provides no remedy other than this appraisal for the securing of the disclosure of the condition of the estate for the benefit of persons interested earlier than eighteen months after the death of the decedent, when the right to the filing of an account is recognized. Moreover, in counties other than New York county this inventory and appraisal serves a most useful purpose by affording soon after the decedent's death an opportunity for all those of the family and interested in the estate to know what the estate consisted of; and it can readily be seen that to do away with this proceeding might deprive such persons in many cases of what is after all a substantial right. And your special committee is of the opinion that practitioners and citizens in the various counties other than in New York would be opposed to the carrying out of such a recommendation. Therefore, your special committee believes that the recommendation hereinbelow made will meet the situation as it exists in the county of New York, and yet not deprive those in other counties, or those in the county of New York in proper cases, of the right given them under section 2711 of the code.

Your special committee's suggestion is that where an executor or administrator shall have applied for an appraisal of the estate under the Transfer Tax Law the report of the appraiser in that case shall be deemed an inventory for all purposes under chapter 18 of the code. Two results then flow from this provision. In the first place, executors and administrators will have an additional incentive to promptly initiate the transfer tax proceeding. Public policy is, therefore, upon the side of this recommendation. The appraisal by the State transfer tax appraiser is, as the law now stands, more conclusive, more likely to be accurate, and, therefore,

to disclose to the persons interested in the estate the facts which they are entitled to know, than is the perfunctory, ex parte and inconclusive inventory prepared and filed under section 2711. If, however, in any given case the executor or administrator has not instituted the proceedings for the fixing of the transfer tax, the right of any person interested to apply for the inventory appraisal under section 2711 is not in any respect done away with and no prejudice is wrought to the rights of any party. Your special committee accordingly believes that by the adoption of these two recommendations this great evil will be in a measure alleviated.

FOURTH CAUSE OF COMPLAINT.

ABUSE OF PATRONAGE.

Another cause of widespread complaint in the county of New York was described generally as an abuse of patronage in that county. In what has been said regarding the second and third causes of complaint, this evil has been hinted at, but only hinted at. There were two elements to this evil as it was alleged to exist. The first was the confining to a few favored individuals of the patronage at the disposal of the court; the second was the relationship to the appointing surrogate of the persons designated.

In causing these complaints to be investigated, your special committee was on delicate ground; and it should be observed that at the beginning of its investigation your special committee as a whole had no conception of the extent of this alleged abuse. In order to satisfy itself with regard to the premises the experts to whom reference has already been made by assiduous work compiled for your special committee certain schedules known to your committee and described as follows:

Schedule 1-A, showing appointments of inventory appraisers

Schedule 4-A, showing appointments of special guardians on accountings.

Schedule 6-A, showing appointments of referees on accountings.

Schedule 8-A, showing appointments of special guardian in transfer tax proceedings.

Schedule 12-A, showing appointments of special guardians in uncontested probate proceedings.

Schedule 13-A (Exhibit 12), showing appointments of transfer tax appraisers.

The full significance of these schedules is not apparent without a brief statement of the relation of some of the parties named therein to the surrogate whose resignation was reported in your special committee's report of February third.

Gilbert W. Minor, who seems to have enjoyed every variety

of patronage at the disposal of the surrogate in varying degrees, and to have managed to have compressed within the limits of any given month more working days at per diem rates than any of the other appointees, was ascertained by your special committee to be a clerk under salary in the office of John H. V. Arnold at 206 Broadway in the city of New York.

Reginald H. Arnold, whose name appears frequently upon these schedules, was shown to be a son of John H. V. Arnold, having an office with him at 206 Broadway.

Frederick H. Chapin, whose name appears frequently upon schedule 1-A, was a brother-in-law of Surrogate Arnold and is said to have died in October, 1896. The schedule indicates the filing of numerous appraisers' reports in the name of Frederick H. Chapin subsequent to the time of his death. One of the witnesses testified that subsequent to his death his son was appointed in his father's place, but so far as the records show they indicate the making of appraisers' reports and the filing of them after his death in the name of the decedent. The actual name of the son of Frederick H. Chapin is not Frederick H. Chapin but Edwin Chapin.

Thomas E. Arnold was a brother of John H. V. Arnold, not a lawyer, but reported in the directory to be a public accountant at 206 Broadway.

Joseph F. Arnold appeared also to be a brother of John H. V. Arnold.

Robert W. Cromley and Henry A. Rawcliffe appear to have been at different times clerks in the office of John H. V. Arnold at 206 Broadway.

The object of your special committee in dilating upon these facts is due to its conviction that in spirit, if not in fact, the provisions of sections 49, 50, 2529 and 2538 of the Code of Civil Procedure have been violated. This may not be true so far as these persons acted as appraisers or as referees, inasmuch as such officers are designated by the surrogate to assist him and to inform him and to expedite his judicial labors; but a special guardian occupies to the surrogate a different relation, he is generally required to be an attorney and counsellor-at-law, he represents the rights of a party interested in the proceeding, he litigates that party's rights, if necessary, in court, he is to all intents and purposes that party appearing as attorney in person, and within the spirit of the code he practices before the surrogate who appoints him. Nevertheless, within the letter of section 2529 as it now stands it may well be that the prohibition of the statute was not in terms violated. But your special committee would be deaf to the complaints which this practice has given rise to in the county

of New York were it not to refer, as it has in this report, to this state of affairs and to make a recommendation in the premises.

Your special committee's recommendation accordingly is that to section 2529, as it now stands be added the words: "Nor shall a surrogate's father or son act as appraiser, referee or special guardian in any matter before the surrogate." And your special committee leaves it to the wisdom of this Assembly to determine whether the words "or brother" shall be added to both parts of this section as well as to determine whether the prohibition shall be restricted to special guardians and not extended to the office of appraiser or referee.

Regarding the general question of the distribution of patronage by a judicial officer, your special committee feels that this is a matter very far reaching and in which legislation should not be lightly attempted. It would not be just to single out the surrogate as the sole judicial officer who should be limited in his reasonable exercise of this power which by long usage has become necessarily incidental to the tenure of his office. There is, however, a suggestion to be made based upon analogy with the custom in vogue in the Supreme Court, salutary results from the practice of which might be reasonably anticipated. It is the practice of the Supreme Court to have daily publication made in the Law Journal, which is the official legal publication in the county of New York, of the name of each judge who from time to time distributes court patronage, with the names of all appointees, whether as receivers or as referees, as the case may be. The same publicity in the matter of appointments by the surrogates might be a wholesome safeguard against the recurrence of this condition complained of. And your special committee recommends as the most appropriate provision in that regard an amendment to section 2504 of the Code of Civil Procedure by adding thereto at the end thereof the following words:

"And there shall be published in the Law Journal, published in said county upon the first day of every week, under the name of the surrogate making the several appointments, a full and true list of the names of all appraisers, transfer tax appraisers, special guardians, referees and temporary administrators which either surrogate shall have designated or appointed during the preceding week, together with the names of the proceedings in which they were appointed and the dates of said appointments."

This provision, as well as the others recommended above, should take effect immediately.

Further than to require such publication your special committee does not see its way clear to interfering or to suggest interference with this very substantial privilege of the surro-

gate as a judicial officer. The real remedy in this regard lies with the people.

Your special committee feels called upon, however, to deal at this point in its report with the matter of the certificates as to time actually employed by these various appointees in the discharge of the duties incident to their appointment. This has already been adverted to in another connection. It will bear re-statement in a different form.

Schedule 15-A, for example, shows that in the six months from January to June, both inclusive, in the year 1898, there were a total number of working days excluding Sundays and holidays of 151. Into this limited space Gilbert W. Minor succeeded in compressing the following large number of days' work: In his capacity as transfer tax appraiser he certified to having been actually occupied and appears to have received full per diem rates for 1,576 working days; as special guardian he appears to have been paid for 331 working days; as referee he seems to have been allowed for 122 working days, on the supposition that the 140 hours certified to by him as having been occupied in March represent 70 working days, it not being the practice in that city for referees to sit throughout the day, and it being reasonably probable that with the number of other engagements which he seems to have had that he did not actually give the whole of any given day to his duties as referee. Upon this basis he seems to have received fees and allowances for the performance of 2,029 days' work. Presumably, also, he rendered some service in the office where he was employed, at 206 Broadway.

The testimony of Mr. Pindar illustrates this point in a different and somewhat suggestive manner. It will be borne in mind that all papers in transfer tax proceedings pass through Mr. Pindar's hands in the ultimate stage, in addition to which he made a careful rescrutiny of the same in the testimony that he was required to give under subpoena of the special committee; and he testified that in transfer tax proceedings the appraisers would frequently certify to having been occupied as many as 100 days, after which intense and continuous lubrication the appraisers would arrive substantially at the result in values originally certified by the counsel or the representatives of the estate. It would seem as if such results could have been arrived at for less money. And it is manifest through a scrutiny of the character of affidavit submitted by these appraisers that, while the letter of the statute was not departed from, in that they merely swore to having been actually occupied upon the days specified in the affidavit, nevertheless the allowance to them of the full per diem rate was in effect a violation of the intent of the statute; and in the judgment of your special committee the

harvest thereby reaped by these diligent appointees was unlawful and requires for its prevention in the future some action by this Assembly.

Your special committee feels that in this connection that it should call attention to the rule laid down by one of the surrogates in the county of New York, testified to by Mr. Edward W. Bonyng, deputy chief clerk in that court. The matter seemed to have been occasioned by a proceeding to tax the fees of statutory appraisers, and the deputy chief clerk made a memorandum upon the papers for the information of the surrogate, which is set forth in full in the minutes. Upon this memorandum the surrogate made the rule to which it was testified he had subsequently adhered, that "a detailed statement of the services rendered on each day respecting which the appraisers claim their compensation should be submitted before I can tax their bill." If such a rule were to be enacted and enforced in the surrogates' court in the county of New York, and in other counties of the state, this condition would be adequately met. In the absence of such a rule there should be a general provision of the Code, to the same purport, of general operation for the protection of estates out of which the substantial part of such fees and allowances have to be paid.

Your special committee is of the opinion, and it was, in fact, represented to your special committee from several sources, that the distribution of this enormous patronage and the fixing of allowances and fees to recipients thereof is a heavy tax upon the time and strength of the surrogates of the county of New York; and the suggestion is not without force that the time and strength required to give attention thereto is one of the occasions of delay in the determination of causes in that county. But with the principle in mind already enunciated, your special committee deems it inexpedient to make any suggestion in this regard or that any legislation should be framed unless at the special and direct instance of the surrogates themselves.

The suggestion was made to your special committee, however, and pressed with some force in some of the briefs filed with its counsel, that special guardians, as well as the transfer tax appraisers as above indicated, should be limited in number, placed under bond, and should receive salary from the county. And the additional suggestion was made that to meet the expense of such salaried special guardians every estate coming under the jurisdiction of the court in which infants were interested should pay into the county treasury a graduated fee based upon the size of the estate, from which fees it is estimated that a fund sufficient to meet such salaries could easily be realized. The idea

is that estates under \$10,000 should pay \$5, estates over \$10,000 and under \$50,000 should pay \$10, estates over \$50,000 and under \$100,000 should pay \$20, and estates over \$100,000 should pay \$25; that the payment of these fees by such estates should entitle every infant interested in such estates to the services of one of the official special guardians. Your special committee is not satisfied that such a system would be in all respects satisfactory, and contents itself with laying the suggestion briefly before this Assembly.

Should such a method be devised it would be proper to require that these officers should be assigned in rotation in order that their business might be expeditiously performed.

With regard to the other recipients of patronage in the surrogates' court, such as the statutory appraisers, assuming that their continuance is advisable, severe penalty should be imposed upon any such officer accepting any consideration whatsoever other than that allowed to him by statute either for expediting the business entrusted to him or for any other cause whatsoever. Your special committee has no hesitation in saying that this is one of the most serious conditions in the administration of all offices like that of the surrogate, where persons coming into the court have the means to offer and to pay additional fees for expediting their proceedings, are enabled to secure undue preference to the prejudice of poorer litigants or more scrupulous litigants who will not yield to a system which in some cases amounts virtually to blackmail.

This leads your special committee to a reference to the law as it now stands without regard to the allowances to be made to special guardians. This matter is at present covered by the provisions of section 2561 of the Code of Civil Procedure, which is as follows:

"Section 2561. When surrogate to fix amount of costs.—In a case other than one of those specified in the last section, the surrogate, upon rendering a decree, may, in his discretion, fix such a sum, to be allowed as costs, in addition to the disbursements, as he deems reasonable, not exceeding, where there has not been a contest, twenty-five dollars, or where there has been a contest, seventy dollars; and, in addition thereto, where a trial or hearing upon the merits before the surrogate necessarily occupies more than two days, ten dollars for each additional day; and where a motion for a new trial is made before the surrogate, if it is granted, seventy dollars; if it is denied, forty dollars."

Some litigation has grown out of this section, occasioned by the fact that special guardians appointed in contested will cases have rendered services for which the \$70 allowed by this section is

grossly inadequate as compensation. Both the Appellate Division and the Court of Appeals have passed upon this point.

See Matter of Ruppner, 7 App. Div. 12; and, Matter of the Will of Budlong, 100 N. Y., 205.

In view of these decisions it would seem to be appropriate that section 2561, should be amended so as to be declaratory of the existing law. This can be accomplished by adding to such section the following words:

“But in no case shall the surrogate fix a sum to be allowed out of the estate generally as costs or allowance to a special guardian for an infant which shall exceed in amount the sum to be allowed as costs provided by this section.”

The intent of these decisions and the intent of this section if so amended is and would be to prevent the allowance out of the estate generally of any sum in excess of the maximum sum specified. It ought not in the judgment of your special committee to deprive the surrogate of the power to award a special guardian who has conserved the interests of his infant in a litigated proceeding payment adequate in amount from the estate of the infant if it is in such a condition as that payment can be made from it. For the case can readily be supposed of a special guardian contesting a will successfully and securing for the infant an interest in the estate substantial in character which the infant would not have received or had secured to him had it not been for the efforts of the special guardian; and in such case it ought be left to the wise discretion of the surrogate to compensate the special guardian for such services out of the infant's estate.

Another point brought to your special committee's attention, not in the way of general complaint but in one of the briefs filed with your special committee, is of sufficient importance to include in this, its final report. It relates to the notice which creditors of a decedent are supposed to receive, by means of which they can avail themselves of an opportunity to present their claims to the proper representative of the estate for adjustment and payment. The present provisions of the statute in this regard make possible the publication of this notice to creditors in obscure and unheard of publications and impose upon such creditors a degree of diligence which ought not properly to be expected of them. The heirs or next of kin of a decedent are not entitled to his whole estate unless he shall have died free of indebtedness. They are entitled as a matter of law only to the residue of his estate after the payment of his just debts and funeral expenses. The policy

of our statutes, therefore, should be to give to the creditor every facility in the presentation and allowance of his claim. The suggestion made is along this line, and contemplates that there should be a book of record kept by every surrogate in which should be entered the names of all creditors who, upon the death of a decedent, may choose to file their claims in such office; and the suggestion is that the creditor, by the mere filing of such claim appropriately indexed under the name of the decedent's estate, shall entitle himself to notice of distribution and thereby be insured an opportunity of presenting and proving his claim before the surrogate. The object sought to be secured by this suggestion might, however, in the judgment of your special committee, be efficiently accomplished if the provision with regard to publication in the county of New York, for example, were to be changed so that notice to creditors to present claims need be published in the Law Journal and in the Law Journal alone. Public policy does not require that private publications, whether daily or weekly in their character, should be subsidized at the public expense for the publication of these notices to creditors; and it would not be expecting too much of creditors to require that they should accept notice given by publication in an official legal journal such as that published in the county of New York as sufficient for all purposes of their protection. The suggestion made to your special committee would be met by such a method. If the creditor is advised of the decedent's death sufficiently to call forth his filing a notice of claim in the surrogates' court, he is advised of it sufficiently to watch for this notice in a specific legal publication. The real evil seems to have been in expecting creditors to accept a notice published indiscriminately in papers which in the natural course of events might never come to their attention.

Among other suggestions made to your special committee by members of the Bar familiar with the practice in this court there are two matters in which, in the judgment of your special committee, the code might be slightly amended to avoid the hardship wrought by the inelastic language of the statute as it stands. The first is in section 2698 relating to the petition and citation upon applications for ancillary letters testamentary or of administration. The section is as follows:

"Section 2698. Petition, citation. An application for ancillary letters testamentary, or ancillary letters of administration, as prescribed in this article, must be made by petition. Upon the presentation thereof, the surrogate must ascertain, to his satisfaction, whether any creditors, or persons claiming to be creditors, of the decedent reside within the state; and if so, the name and residence of each creditor, or person claiming to be a creditor, so far as the same can be ascertained. He must thereupon issue a cita-

tion, directed to each person whose name and residence have been so ascertained; and also directed generally to all creditors, or persons claiming to be creditors, of the decedent. Any such person, although not cited by his name, may appear and contest the application, and thus make himself a party to the special proceeding."

In many cases it is the fact that the creditors, the existence of whom has been ascertained by the surrogate, can be readily reached and would gladly facilitate the proceeding by waiving the issuance and service of a citation. Under the mandatory phrasing of the statute as it stands, which it seems the surrogates have been controlled by in greater measure than by some other mandatory provisions of the code to which reference has been above made, it has been held that the surrogate may not in any case dispense with the issuance of this citation, and that he is without power to obviate the delay thereby caused, and your special committee, therefore, is of the opinion that no prejudice would be wrought by an amendment to the section so as that it shall read in that part thereof, "unless duly acknowledged waivers shall be filed by such creditors, he must thereupon issue a citation," etc.

This, it is believed, will relieve a situation frequently created by the phrasing of the statute as it stands.

The second provision to which we desire to call your attention in this connection is that contained in section 2524 of the Code, which provides for the publication in two newspapers of an order directing the service of a citation without the State or by publication. The requirement in this section that the order must direct the publication of the citation in two newspapers is one which entails upon small estates a heavy burden of expense, and there is no question that the bar and the public generally would welcome an amendment to this section limiting the number of newspapers to one, or giving the surrogate discretion, where the size of the estate demands such economy, to limit it to one newspaper.

In conclusion your special committee accordingly respectfully submits the following recommendations:

I. TO PREVENT DELAY IN THE DETERMINATION OF PROCEEDINGS.

WE RECOMMEND:

(a) In regard to referees' reports on accountings, that unless a referee's report is passed upon and confirmed, approved, modified or rejected by a surrogate within sixty days after it has been submitted to him it shall be deemed confirmed as of course, and any party interested in the proceeding may enter an order to that effect upon two days' notice.

(b) As to payment of surrogates' salaries in the county of New York, that section 3 of chapter 642 of the Laws of 1892 be amended by adding "but neither surrogate shall be allowed to draw or receive any monthly salary until he shall take and subscribe before an officer entitled to administer oaths, and file with the comptroller of the city of New York, an affidavit to the effect that no matter or proceeding that has been submitted to him for decision then remains undecided for the period of ninety days."

II. TO REDUCE THE COST TO THE STATE OF COLLECTING THE TRANSFER TAX IN THE COUNTY OF NEW YORK.

WE RECOMMEND:

(a) An amendment to the Tax Law so as to provide in the county of New York for the appointment by the State Comptroller of five transfer tax appraisers at salaries not to exceed \$4,500 per annum, to whom the surrogates shall refer for appraisal all estates to be appraised under this act in that county in regular rotation.

(b) That the Tax Law be further amended by providing in regard to the commissions which any county treasurer or the comptroller of the city of New York is entitled as the law now stands to retain out of any funds he may have on account of the tax, that such commissions shall in no case exceed in the aggregate the sum of \$7,500 in any one year.

III. TO PREVENT THE ABUSES INCIDENT TO INVENTORY APPRAISALS IN THE COUNTY OF NEW YORK.

WE RECOMMEND:

(a) That section 2711 of the Code of Civil Procedure be amended so as to read as follows (the amendments to the section as it now stands being indicated by underscoring):

Section 2711. On the application of an executor or administrator, the surrogate, by writing, must appoint two disinterested appraisers, as often as may be necessary, to appraise the personal property of a deceased person, who shall be entitled to receive a reasonable compensation for their services, to be allowed by the surrogate, not exceeding for each the sum of five dollars for each day actually employed in making appraisement, in addition to expenses actually and necessarily incurred. The number of days' services rendered, and the amount of such expenses,

must be verified by the affidavit of the appraiser, delivered to the executor or administrator, and taxed and adjusted by the surrogate before payment of his fees; and no executor or administrator shall be credited upon his accounting such fee or fees unless the same shall have been so taxed. The executors and administrators, within a reasonable time after qualifying and after giving a notice of at least five days to the legatees and next of kin, residing in the county where the property is situated, and posting a notice in three of the most public places of the town, specifying the time and place at which the appraisement will be made, must make a true and perfect inventory of all the personal property of the testator or intestate; and if in different and distant places two or more such inventories as may be necessary; unless such executors or administrators shall have instituted a proceeding to ascertain the fair market value of the personal property of the testator or intestate, for the purpose of fixing the transfer tax as provided by article ten of chapter twenty-four of the general laws; and the report of the transfer tax appraiser, when filed in the office of the surrogate, shall be deemed to be an inventory returned by the executor or administrator for all purposes required in any of the provisions of this chapter. Before making the appraisement, the appraisers must take and subscribe an oath, to be inserted in the inventory, that they will truly, honestly and impartially appraise the personal property exhibited to them, according to the best of their knowledge and ability. They must, in the presence of such of the parties interested as attend, estimate and appraise the property exhibited to them, and set down each article separately, with the value thereof in dollars and cents, distinctly, in figures opposite to the articles respectively.

(b) That section 2565 of the Code of Civil Procedure be amended by adding thereto the words: "and no executor or administrator shall be credited upon his accounting with such fee or fees unless the same shall have been so taxed."

IV. TO PREVENT ABUSE IN THE DISTRIBUTION OF PATRONAGE.

WE RECOMMEND:

(a) That section 2529 of the Code of Civil Procedure be amended to read as follows (the proposed amendment being indicated by underscoring):

Section 2529. A surrogate's father or son shall not practice or be employed as attorney or counsel in any case in which his partner or clerk is prohibited by law from so practicing or being

employed; nor shall a surrogate's father or son act as appraiser, referee or special guardian in any matter before the surrogate.

(b) That section 2504 of the Code of Civil Procedure be amended by adding thereto the provision: "and there shall be published in the Law Journal published in said county, upon the first day of every week, under the name of the surrogate making the several appointments, a full and true list of the names of all appraisers, transfer tax appraisers, special guardians, referees, and temporary administrators, which either surrogate shall have designated or appointed during the preceding week, together with the names of the proceedings in which they were appointed and the dates of said appointments."

V. IN RELATION TO SPECIAL GUARDIANS' FEES.

WE RECOMMEND:

That section 2561 of the Code of Civil Procedure be amended by adding thereto a provision declaratory of the present law, as follows: "but in no case shall the surrogate fix a sum to be allowed out of the estate generally as costs or allowance to a special guardian for an infant which shall exceed in amount the sum to be allowed as costs provided by this section."

VI. TO PREVENT DELAY IN THE GRANTING OF ANCILLARY LETTERS.

WE RECOMMEND:

That section 2698 of the Code of Civil Procedure be amended so as to read as follows (the proposed amendment being indicated by underscoring):

Section 2698. Petition; citation. An application for ancillary letters testamentary, or ancillary letters of administration, as prescribed in this article, must be made by petition. Upon the presentation thereof, the surrogate must ascertain, to his satisfaction, whether any creditors, or persons claiming to be creditors, of the decedent reside within the state; and if so, the name and residence of each creditor, or person claiming to be a creditor, so far as the same can be ascertained. Unless such creditors shall file duly acknowledged waivers of the issuance and service of citation, he must thereupon issue a citation, directed to each person whose name and residence have been so ascertained and also directed generally to all creditors, or persons claiming to be creditors of the decedent. Any such person, although not cited by his name, may appear, and contest the application, and thus make himself a party to the special proceeding.

VII. TO SAVE EXPENSE TO SMALL ESTATES IN THE PUBLICATION OF CITATIONS.

WE RECOMMEND:

That section 2524 of the Code of Civil Procedure be amended so as to provide that the surrogate in his discretion, where small estates are interested, may order the publication of the citation in but one newspaper.

VIII. TO ENSURE CREDITORS OF A DECEDENT AN OPPORTUNITY OF PRESENTING THEIR CLAIMS AGAINST SUCH DECEDENT.

WE RECOMMEND:

That it be provided by law that at any time after the death of a decedent, testate or intestate, any creditor of such decedent may file, in the office of the surrogate of the county of which the decedent at the time of his death was a resident, a verified statement of his claim, describing the same in substantial detail as to character and amount. All such notices of claim shall be entered by the surrogate in a separate record book of claims against decedents' estates, in which shall be recorded the name of the decedent, the name and address of the creditor, the amount of his claim and the date of filing thereof. Every creditor who has filed such a notice of his claim shall, unless his claim has heretofore been allowed or passed upon by the representative of the decedent, be entitled to notice from the surrogate of distribution of the estate of the decedent; but nothing in this provision shall be deemed to affect the provisions of law now in force with regard to the publication of notice to present claims against decedents' estates or in regard to the proceedings to refer disputed claims against such estates.

IX. WITH REGARD TO THE APPOINTMENT OF SPECIAL GUARDIAN IN TRANSFER TAX PROCEEDINGS.

WE RECOMMEND:

That the Tax Law be amended, in section 232 thereof, so as to specify the stage in the proceedings to fix the tax at which and the circumstances under which the surrogate may appoint a special guardian for an infant whose interest in the estate under appraisal is presently involved if it be adverse to that of any other party in interest; but that this be without prejudice to the right on the part of an infant over fourteen, or of any one on be-

half of an infant under fourteen, to nominate and apply for the appointment of a special guardian for such infant at any stage of the proceeding.

All of which is respectfully submitted,

MERTON E. LEWIS,
JAMES T. ROGERS,
GHERARDI DAVIS,
L. M. MARTIN,
EDWARD H. FALLOWS,
Chairman.

Special committee of the Assembly appointed to investigate the Surrogates' Court and office of the county of New York.

Mr. Finn.—I would respectfully suggest that the Clerk read the minority dissent on two of the recommendations of the committee.

Mr. Speaker.—The Chair will hold upon this proposition that the question of a minority report, in the experience of the Chair, has always been accorded; and I trust will be in this case. While a minority report is not recognized in parliamentary procedure, it has been the custom of the House to allow any minority member of a committee to submit a report in case he so desires; and I trust the House will follow this course with the gentleman from New York and his minority report. He asks that it be read in connection with the report of the committee.

Mr. Finn.—I agree entirely with the Chair that that is the right ruling.

Said minority report was read in the words following:

The minority members of the special committee concur in the above report of the majority members of said committee, and in the recommendations therein set forth, except as to recommendation II, from which we dissent as follows:

As to *a* of said recommendation, we believe that the power of appointment of the appraisers therein provided for should be given to the surrogates of the county of New York instead of to the State Comptroller. We do not believe it just or equitable to take from the surrogates of said county a right enjoyed by the surrogates of all the other counties of the State; and we believe further that, under the existing statutes, the surrogate is the proper officer to make such appointments.

From *b* of said recommendation II, we dissent in toto, believing that no proper reason has been shown why the fees paid to the Comptroller should be limited to the amount set forth in said recommendation.

All of which is respectfully submitted,

DANIEL E. FINN,
DAVID N. HELLER,

Said report, together with the papers and exhibits accompanying the same, were ordered laid upon the table and ordered printed.

(See Document.)

Mr. Fallows, from the special committee of the Assembly to investigate the surrogates' court of New York county, reports by bills entitled as follows:

"An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property" (Int. No. 1314), which was read the first time and ordered printed and recommitted to the committee on the judiciary.

"An act to amend the Tax Law, being chapter 24 of the general laws, relating to the commissions of county treasurers and of the comptroller of the city of New York" (Int. No. 1315), which was read the first time and ordered printed and recommitted to the committee on the judiciary.

"An act to amend the Tax Law, being chapter 24 of the general laws, relating to the appointment of special guardians in transfer tax proceedings" (Int. No. 1316), which was read the first time and ordered printed and recommitted to the committee on the judiciary.

"An act for the protection of the creditors of a decedent" (Int. No. 1317), which was read the first time and ordered printed and recommitted to the committee on the judiciary.

"An act to amend chapter 642 of the Laws of 1892, relating to the surrogates' court of the county of New York" (Int. No. 1318), which was read the first time and ordered printed and recommitted to the committee on the judiciary.

"An act to amend the Code of Civil Procedure, relating to appointments in surrogates' court in the county of New York" (Int. No. 1319), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to fees of inventory appraisers" (Int. No. 1320), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to taxes by the father or son of a surrogate in the surrogates' court" (Int. No. 1321), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to inventory appraisals of the estates of decedents" (Int. No. 1322), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to application for ancillary letters" (Int. No. 1323), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to the costs of special guardians in surrogates' courts" (Int. No. 1324), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to service of citation by publication" (Int. No. 1325), which was read the first time and ordered printed and recommitted to the committee on codes.

"An act to amend the Code of Civil Procedure, relating to references in surrogates' court" (Int. No. 1326), which was read the first time and ordered printed and recommitted to the committee on codes.

Mr. Palmer.—The introduction of these bills—I am not in a position to know whether I ought to object to the introduction from the floor or not in the case in question. They have not

been submitted to me. I do not know what they are. It seems to me in these questions, without knowing what they are, we ought to protest against their being introduced from the floor of this House.

Mr. Speaker.—The Chair would state, Mr. Palmer, upon that question, or the point of order, we could not hold with the gentleman from Schoharie, because they are not bills introduced by the chairman, but they are committee bills; and under the rules of the House a bill can be introduced by a committee. And this coming under the order of reports of committees would make no difference—the committee has a right under the order to submit reports—to report from a committee a bill. I believe the Chair is correct upon that proposition.

Mr. Palmer.—Mr. Speaker, I understand that to be the rule from standing committees of this House. No such rule exists with reference to a special committee appointed for a special purpose. That special purpose was only to investigate an office in this State.

Mr. Allds.—Oh, at the time that the supplemental report was put in they reserved the right to by committee at a future time; and that was the resolution that was adopted.

Mr. Speaker.—It certainly would make little difference, so far as the introduction of these bills are concerned, because they could be handed down on Wednesday.

Mr. Palmer.—Except in so far that the majority and minority leader both have held most of the members to the rule that they were entitled to see the bill that was introduced on the floor——

Mr. Speaker.—By unanimous consent, that is the custom.

Mr. Palmer.—Now, carrying out that rule which has been adopted by the House, it would have been no more than courtesy to have at least shown the bills or their titles to the leaders of the House——

Mr. Fallows.—Let me say, in reply to the gentleman, that I have only just received the last copy of the bills from the stenographer and could not give him the copy earlier. It was my

intention that the leaders on both sides should have copies; and I have just sent a copy to the majority and minority leaders.

Mr. Palmer.—I now renew my objection, that these bills cannot be introduced upon the floor of the House by any member of any committee except a standing committee, except by unanimous consent of the House.

Mr. Speaker.—The Chair will hold the point of order of the gentleman from Schoharie, under chapter 9, Rule 22, is not well taken. That rule prescribes that a bill may be introduced by report of a committee. This committee, inasmuch as it is created by the House, is a committee of the House.

Mr. Palmer.—When those rules were adopted there were certain standing committees of the House that were contemplated at the time of the adoption of the rules. At that time there was no special committee for whom the rule could be adopted nor a special committee—or its duties be anticipated at the time we voted for these rules. It occurs to me that the only committees whose duties could have been contemplated when these rules were adopted were the standing committees of the House. I therefore move respectfully—

Mr. Speaker.—The Chair will call the attention of the gentleman from Schoharie to the second mode under Rule 2 by which a bill can be introduced, which says, “by report of committee.” The Chair thinks, under the rule, that this committee, having been created by this House, is a committee of the House; and so far as legislation is concerned, is entitled to all the provisions and privileges of a regularly appointed committee of the House.

Mr. Palmer.—I desire to again state that the rule that a bill can be introduced by a committee of this House, known to exist under the rules of this House—but not by a particular committee. Committees might be appointed every day for the purpose of evading this rule. That is a special committee.

Mr. Speaker.—The Chair decides the point not well taken.

Mr. Palmer.—I desire to ask of the introducer of these bills

whether all except two of the bills are general acts applying to courts in general, or whether to courts of New York city?

Mr. Fallows.—The majority of them affect New York city only. Two or three of them do affect in a very minor manner surrogates' courts generally.

Mr. Palmer.—Mr. Speaker, I then desire to object to the introduction of these bills for the reason that the title does not express the law sought to be amended—whether they are general or special.

Mr. Speaker.—The Chair will have to hold the bills have already been introduced and been announced from the desk and been referred to committees. The point of order is not well taken. If the gentleman desires to raise that objection when the bills come upon the calendar, why that proposition can be determined then. The bills have been received, announced by the desk and referred to the committees.

Mr. Palmer.—I withdraw the objection, and will meet the question when they are upon the calendar.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fish, Int. No. 1171, entitled "An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the island of Cuba, Porto Rico, Guam, the Philippine Islands and the Islands of Hawaii" (No. 1441), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill, introduced by Mr. Fallows, Int. No. 1186, entitled "An act to amend the Election Law relative to independent nominations" (No. 1480), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. E. E. Kelley, Int. No. 1013, en-

titled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of the State of New York, as amended by chapter 619 of the Laws of 1894' (No. 1182), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by the committee on the judiciary, Int. No. 1084, entitled "An act to provide for the appointment of side-path commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and regulate their use on such sidepaths and to provide revenue therefor" (No. 1297), reported in favor of the passage of the same, with the following amendments:

Page 1, line, after the word "county" insert the words "in this state except the counties of Albany and Monroe."

Same page, line 4, after the word "a" insert the word "householder" instead of freeholder.

Same page, line 9, after the word "town" insert the words "and a majority of whom shall be cyclists."

Page 2, line 1, after the word "county" insert the words "and a majority of whom shall constitute a quorum to transact business."

Same page, line 18, after the word "appoint" strike out the word "the" and insert the words "a qualified."

Same page, line 23, strike out all after the word "office" down to the word "any" on line 26, and insert in place thereof the words "The commissioners appointed as herein provided shall be public officers and subject to the provisions of the public officers' law not inconsistent with this act and in case."

Page 2, line 22, insert after the word "office" the following: "the term 'sidewalk' when used in this act means any path or walk constructed of earth, gravel or other material, and maintained as such by the public authorities or owner of the abutting lands and not more than eight feet wide along either margin of a road highway or street for the common use of pedestrians but not footpaths or portions of the road, highways or street worn only by teams over the natural surface of the land."

Page 3, line 3, after the word "a" strike out the word "majority" and same line, after the word "of" insert the words "a

majority of all," and same line after the word "the" insert the words "members of the."

Same page, line 5, after the word "any" strike out the word "taxpayer" and insert the word "citizen."

Same page, line 6, after the word "until" insert the words "at least five days after service on."

Same page, line 7, after the word "commissioner" insert the words "of a copy of the charges made against him and he." same line, after the word "had" strike out the words "a chance," and insert the words "an opportunity."

Page 3, line 10, after the word "fund" insert the words "upon the presentation of an itemized statement of the same duly verified and after the same has been audited and allowed by the board of sidepath commissioners."

Page 3, line 12, in the word "reconstruct" insert a hyphen.

Same page, line 14, after the word "road" insert the words "or highway."

Same page, line 15, after the word "cities" insert the words "except the city of Rome and outside the limits of the tax district of said city but only upon consent of the commissioner of highways or other officer or officers performing similar duties having charge of such road or highway, and."

Same page, line 17, after the word "the" insert the words "board or." Same page and line, after the word "having" insert the word "legal."

Same page, line 19, strike out the word "along" and insert the word "over" after the word "or."

Same page, line 20, after the word "of" strike out all to the word "the" and insert "the owners of."

Same page, line 21, after the word "and" insert the words "if within the limits of an incorporated village." Same line, after the word "the" insert the words "board or," and after the word "having" insert the word "legal."

Same page, line 26, after the word "public" insert the word "highway."

Page 4, line 3, after the word "of" strike out the letter "n" and insert the word "substantial."

Same page, line 10, after the word "be" insert the words "numbered and, to be."

Same page, line 11, after the word "the" strike out the word "bicyclists" and insert the words "person to whom the same is issued." Same line, after the word "resides" insert the letter "s."

Same page, line 15, after the word "appointed" insert the words "and organize."

Same page, line 19, after the word "a" insert the word "wheel." Same line, after the word "bicycle" insert the words "or tri-cycle."

Same page, line 22, after the word "prominent" insert the words "and conspicuous." Same line, after the word "the" insert the words "front, or."

Same page, line 23, after the word "fork" insert the words "or upon the front post between the handle bars and fork." Same line, after the word "bicycle" insert the words "so ridden."

Page 5, line 2, after the word "commissioners" insert the words "each month."

Same page, line 3, after the word "of" of the second line, strike out the word "each" and insert the words "the succeeding."

Same page, line 6, after the word "by" strike out the words "a majority" and insert the words "the president and countersigned by the secretary."

Same page, line 13, after the word "commissioners" insert the words "and attested by the secretary of the board."

Same page, line 25, after the word "expenses" insert the words "In the expenditure of such moneys said board shall take into consideration the interest and convenience of cyclists in the several localities where such moneys are collected, proportioning such expenditure as nearly as may be, in the vicinity of each locality to the amount collected therein."

Page 6, line 1, after the word "shall" change the word "read" into the word "lead."

Same page, line 4, after the word "highway" insert the words "but this section shall not prevent the temporary hitching or standing of horses attached to vehicles in front of any residence or the driving of stock along the road, street or highway when necessary."

Same page, line 7, after the word "in" strike out the word "said" and insert the word "this." Same line, after the word "pedestrians" insert the words "may use any cycle path heretofore constructed under the provisions of this act."

Same page, line 8, after the word "cyclist" insert the word "thereon." Same line, strike out all after the word "shall" to the end of the section except the word "right" at end of line 8, and insert "turn to the."

Same page, line 12, after the word "than" strike out the word "ten" and insert the word "eight."

Same page, line 21, after the word "in" strike out the word "said" and insert the word "this."

Page 7, line 7, after the word "by" strike out the remainder of the line.

Same page, line 8, strike out all of line to the word "a."

Same page, line 9, after the word "than" strike out the word "three" and insert the word "two." Same line, after the word "than" strike out the word "ten" and insert the word "twenty."

Same line, after the word "or" strike out the remainder of the sentence and insert "in case of failure to pay such fine by imprisonment in the county jail not exceeding one day for each dollar of such fine."

Same page, line 12, at the beginning of the line insert the words "of the offender."

Same page, line 20, after the word "provided" insert the words "subject however to the provisions of sections fifty-seven and fifty-eight of the code of criminal procedure."

Same page, line 24, after the word "act" insert the words "and the number of each license so issued." Same line, after the word "said" strike out the word book and insert the word "record."

Same page, line 25, after the word "hours" insert "Said board of sidepath commissioners may by resolution authorize any of its members to issue license in the name of the board. If any such license are so issued by a single commissioner shall keep similar records of the same and report the same to the board at its next meeting when the same shall be entered upon its records."

At the end insert "§ 14. This act shall take effect immediately."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Mazet, Int. No. 213, entitled "An act to amend an act entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,' being chapter 376 of the Laws of 1896, in relation to auctions and auctioneers" (No. 1470), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the bill introduced by Mr. Palmer, Int. No. 1165, entitled "An act to legalize the official acts of John H. Mattice as justice of the peace of the town of Broome, Schoharie county" (No. 1436), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Norton, Rec. No. 126, entitled "An act to legalize the proceedings taken by the village of Sea Cliff for the issue of bonds in the amount of \$8,000 to pay for the construction of flagged sidewalks and the laying out and paving of streets in said village" (No. 178), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Douglass, Rec. No. 113, entitled "An act authorizing the commissioners of the land office to grant letters patent to John W. Burdick of certain lands" (No. 366), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 91, entitled "An act to legalize the official action of Frank Davis, former sole commissioner of highways of the town of Rotterdam, Schenectady county, and to authorize the issue of bonds for the payment of indebtedness by him incurred" (No. 426), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 115, entitled "An act to amend the Domestic Relations Law, relating to the appointment of guardians by parents" (No. 129), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Krum, Rec. No. 146, entitled "An act to entitle Eugene D. Scribner to examination for admission as an attorney and counselor-at-law" (No. 695), reported in favor of the passage of the same, without amendment,

which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Mitchell, Rec. No. 68, entitled "An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the fourteenth day of August, 1851, and to release any interest of the State in and to the lands covered by said grant" (No. 297), reported in favor of the passage of the same, with the following amendments:

Page 1, line 6, strike out the word "is" and insert the following at the end of line 5: "and the grant of land under the waters of said river made by the commissioners of the land office to Henry F. Durant on the fifteenth day of January, eighteen hundred and sixty-nine, and recorded in the office of the secretary of state January nineteenth, eighteen hundred and sixty-nine in book of patents number thirty-nine at page two hundred and fifty-five are severally."

Same page, line 7, add the letter "s" to the word "grant."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Mazet, Int. No. 685, entitled "An act to amend title 5 of the Penal Code in relation to offenses against the Election Laws" (No. 710), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Heller, Int. No. 1133, entitled "An act to amend section 2731, of the Code of Civil Procedure, in relation to the limitation of actions by executors and administrators against heirs, devisees, legatees and next-of-kin of a decedent" (No. 1390), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after "Section 1" insert "Section twenty-seven

hundred and thirty-one of the code of civil procedure is hereby amended so as to read as follows:"

"§ 2731."

Same page, line 7 and 8, change brackets to parentheses.

Page 2, lines 2 and 3, change brackets to parentheses.

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 532 entitled "An act to amend section 2461 of the Code of Civil Procedure, relating to supplementary proceedings upon judgments against joint debtors when all defendants were not summoned" (No. 566), reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and place on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Hill, Int. No. 1092, entitled "An act to amend section 2342 of the Code of Civil Procedure, relating to the judicial settlement of the accounts of the committees of incompetent persons" (No. 1305), reported in favor of the passage of the same, with the following amendments:

Page 3, line 12, before the word "if" strike out parenthesis and insert brackets.

Page 3, line 13, after the word "it" strike out parenthesis and insert in place thereof bracket.

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and place on the order of second reading.

Mr. Hill, from the committee on codes, to which was recommitted

the bill introduced by Mr. Hill, Int. No. 369, entitled "An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals" (No. 1356), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendments, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Collins, Int. No. 1096, entitled "An act to regulate the use of bicycles, tricycles and similar vehicles, and to require uniformity of ordinance affecting the same" (No. 1309), reported the same with the following amendments:

Page 1, line 5, after the line add the following words "And not otherwise."

Same page, line 8, strike out the word "lamp" and insert the word "light."

Page 2, line 1, after the word "and" insert the words "one hour before." Same page and line strike out the word "that" and insert the word "but."

Same page, line 3, strike out the words "or to any rider having a bell" and insert in place the words "when an audible signal is given." Same page and line, after the word "in" strike out the words "the following paragraph and ringing it" and insert in place thereof "subdivision two of this section."

Same page, line 6, strike out the words "carrying a suitable" and insert the words "given an;" also, after the word "alarm" insert the word "by;" also, strike out the words "attached to a vehicle" and insert the words "whistle or otherwise;" also, strike out the word "when."

Same page, line 7, strike out the word "rung;" also, strike out the word "distance" and insert the word "distant."

Same page, line 9, after the line add the following: "provided however cyclists shall not be restricted to a rate of speed slower than is allowed any other kind or class of vehicle. 4. To regulate or prohibit coasting or proceeding by inertia or momentum with the feet off the pedals; the carrying of children under five years of age; the observance by cyclists, of such rules of the roads as shall apply to vehicles used for the purpose of carrying passengers and their personal luggage."

Page 3, line 24, after the word "tender" insert the following

words "at the time of his or her arrest, or at any time before the hearing thereon."

Page 4, line 3, after the line add the following: "§ 4. The terms 'squares' and 'parks' as used in this act shall not include any space under the control of the park commissioners, or of a park board, or of a special park department of a city, town or village having power to make regulations relative to such spaces, and this act shall not in any way abridge the powers of such commissioners, board or department."

Page 4, line 4, change section "4" to section "5."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, reported by bill entitled "An act to establish a separate department of elections in the city of New York" (Int. No. 1311), which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilson, Int. No. 946, entitled "An act to amend section 58 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the powers of commissioners of deeds" (No. 1098), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kane, Int. No. 1068, entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Mary M. Diehl" (No. 1281), reported in favor of the passage of the same, without

amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kullman, Int. No. 942, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the Richmond County Society for the Prevention of Cruelty to Children" (No. 1094), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kane, Int. No. 927, entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Frances Schneggenburger" (No. 1060), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Adler, Int. No. 702, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to street cleaning department" (No. 767), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilson, Int. No. 948, entitled "An act to make the office of clerk of the county of Kings

a salaried office and regulating the management of said office" (No. 1100), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Johnson, Int. No. 1026, entitled "An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder" (No. 1209), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilson, Int. No. 947, entitled "An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office" (No. 1099), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilson, Int. No. 949, entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office" (No. 1101), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. P. Sullivan, Int. No. 1199, entitled "An act to enable the fire commissioners of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department" (No. 1493), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1169, entitled "An act to amend the charter of the city of Rochester,

and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements" (No. 1439), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McEwan, Int. No. 1129, entitled "An act to authorize the city of Albany to close Elk street between Lexington avenue and Robin street, in said city" (No. 1386), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burnett, Int. No. 1243, entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' and the acts amendatory thereof generally" (No. 1530), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Doughty, Int. No. 1223, entitled "An act to amend the Greater New York Charter, abolishing the office of county treasurer in the counties of Kings and Queens" (No. 1554), reported in favor of the passage of the same, with the following amendments:

Amend the title by striking out the word "counties" after the word "the" and insert the word "county," and strike out the words "Kings and" before the word "Queens."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Poth, Int. No. 1214, entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against John J. Enright, a fireman of the first grade, for reinstatement in said department"

(No. 1508), reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, strike out the word "required" and insert the word "authorized."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, (Int. No. 1159), entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through South Saint Paul street in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby" (No. 1426), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the word "The" and insert the word "A" and strike out the word "of" and insert the word "not exceeding."

Same page, line 12, insert after the word "canal" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1145, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through East Main street in the city of Rochester, from Goodman street to the Culver road, upon property benefited thereby" (No. 1412), reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 11, insert after the word "road" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1157, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon South Saint Paul street in the city of Rochester, from East Main street to Court street, upon the property benefited thereby" (No. 1424), reported in favor of the passage of the same, with the following amendments:

Page 2, line 7, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 14, insert after the words "Court street" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1148, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby" (No. 1415, reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 14, insert after the words "Clarissa street" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1150, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to the Erie canal, upon the property benefited thereby" (No. 1417), reported in favor of the passage of the same, with the following amendments:

Page 2, line 6, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 13, after the word "canal" insert the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1155, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon the through Mount Hope avenue in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby" (No. 1422), reported in favor of the passage of the same, with the following amendments:

Page 2, line 6, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 12, insert after the word "avenue" the following: "the amount to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1149, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from Main street to the Erie canal, on the property benefited thereby" (No. 1416), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 12, insert after the word "thereupon" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1144, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby" (No. 1411), reported in favor of the passage of the same, with the following amendments:

Page 2, line 6, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 13, insert after the word "road" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1147, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue in the city of Rochester, upon property benefited thereby" (No. 1414), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 11, insert after the word "avenue" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1156, entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Court street in the city of Rochester, from South Saint Paul street to Clinton street, upon the property benefited thereby" (No. 1423), reported in favor of the passage of the same, with the following amendments:

Page 2, line 6, strike out the word "The" and insert the word "A," and strike out the word "of" and insert the words "not exceeding."

Same page, line 13, insert after the words "Clinton street" the following: "the amount thereof to be determined by the common council of the city of Rochester upon not less than ten days' notice to the owner or owners of the street surface railroad property herein assessed."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Phillips, Int. No. 1161, entitled "An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement, in said department" (No. 1428), reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, strike out the word "required" and insert the word "authorized."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mazet, Int. No. 684, entitled "An act to remove the police department in the city of New York from political control, and establish a separate department of elections in said city" (No. 709), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, insert after section 1 the following section:

"§ 2. There shall be a deputy police commissioner who shall be appointed by the mayor and whose term of office shall be the same as that of the police commissioner. His salary shall be four thousand dollars a year. He shall perform such duties as may be assigned to him by the police commissioner, and in the event of the absence, suspension from office or other disability of the police commissioner shall act in his place for the time being."

Same page, line 6, strike out "§ 2" and insert "§ 3."

Same page, line 11, strike out "§ 3" and insert "§ 4."

Page 3, line 1, strike out "§ 4" and insert "§ 5."

Same page, line 6, strike out "§ 5" and insert "§ 6."

Same page, line 11, after the word "commissioner" insert the words "deputy police commissioner."

Page 4, line 3, after the word "committee" insert the following sentence: "It is the intent of this section to prevent the police force, and every officer and member thereof, from interfering, either directly or indirectly, in any way whatever, with the free enjoyment of the franchise of the citizen, to relieve them from every species of obligation to political agencies, to remove them from the fear of displeasure of political agencies and to require every member and officer of said police force to attend solely to his duty as a police officer; and to accomplish such intent the provisions of this section shall be liberally construed." Also after the word "police" the words "and the chief of police shall be jointly, severally and individually."

Same page, line 5, before the word "officer" insert the words "deputy police commissioner and by the."

Same page, line 8, strike out the comma after the word "report."

Same page, strike out lines 9 to 27, both inclusive, and page 5, lines 1 to 6, both inclusive, and insert the following: "are obeyed. Any violation on the part of the police commissioner or the chief of police of any duty or obligation imposed on them or either of them by this act, or any failure on the part of either of said officers to perform any such duty or obligation shall be cause for the removal of such officer from office. The governor may remove the police commissioner or the chief of police or both of them from office for any such violation of or failure to perform any duty or obligation imposed by this act; but before such removal shall take effect, the officer accused shall be furnished with a copy of the charges against him, and shall have an opportunity of being heard in his defense. And pending the hearing and determination of the charges against such accused officer the governor may suspend such officer from his office, and such suspensions, certified to by the governor, shall disqualify such officer from performing the duties of his office until final action on such charges has been taken. In case the governor shall remove the police commissioner, as herein provided, the deputy police commissioner shall not hold office for a longer period than five days after such removal, and within said five days, the mayor shall appoint a police commissioner and a deputy police commissioner as their successors in office. Nothing herein contained shall be deemed to deprive the mayor of the city of New York of any power of removal now vested in him by law, or to relieve him of the duty to be vigilant and active in causing the provisions of this section to be enforced. Any fail-

ure by him therein shall be cause for his removal in the manner provided by law."

Page 5, strike out everything from line 7 to 26, both inclusive.

Page 6, strike out everything from line 1 to 26, both inclusive.

Page 7, strike out everything from line 1 to 26, both inclusive.

Page 8, strike out everything from line 1 to 26, both inclusive.

Page 9, strike out lines 1 to 7, both inclusive, and strike out "§ 12" and insert "§ 7."

In the title strike out the following: "And establish a separate department of elections."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Delaney, Int. No. 1167, entitled "An act to amend chapter 26 of the Laws of 1895, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city" (No. 1450), reported in favor of the passage of the same, with the following amendments:

Page 17, line 20, strike out the words "one also," and insert in place thereof the words "three and."

Same page, line 21, strike out the word "two" and insert in place thereof the words "four of said act as hereby amended;" also strike out the words "section three" and insert in place thereof the word "also."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Coughtry, Int. No. 598, entitled "An act to amend chapter 379 of the Laws of 1862, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner and overseers of high-

ways in that district' ” (No. 638), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter three hundred and seventy-nine of the laws of eighteen hundred and sixty-two, entitled “An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner and overseers of highways in that district.”

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section one of chapter three hundred and seventy-nine of the laws of eighteen hundred and sixty-two is hereby amended to read as follows:

§ 1. All the estates, real and personal, situate within the city of Albany west of Nineteenth street and west of a prolongation of said Nineteenth street, north to the northerly line of the city as said north line was in eighteen hundred and sixty-two, and south to the southerly line of the city as said south line was in eighteen hundred and sixty-two, shall be and hereby are declared exempted from taxation and assessment for the purpose of raising money to pay the expenses of maintaining and supporting a fire department in the city of Albany; for the support of the police department in said city; for the making, repairing and cleaning of drains and sewers; for all damages, costs and other expenses arising from the stoppage or overflow of drains and sewers; for the cleaning of streets and the removal of street dirt, garbage, and other nuisances; for the expenses of lighting the streets within that part of the city of Albany which is situated east of Nineteenth street aforesaid; for the grading, excavating and filling and repairs of pavements, or making or repairing crosswalks in any streets of said city east of Nineteenth street; also for the salaries of the city superintendents and their clerk, and for all the incidental expenses of offices of city superintendent and all the estates, real and personal, situate within the city of Albany lying between said Nineteenth street and a prolongation north and south thereof, as aforesaid, on the west, and Allen street on the east, shall be and are hereby declared entitled to like exemption for the term of six years from the date of the passage of this act.

§ 2. This act shall take effect immediately.

ROBERT MAZET,

Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mazet, Int. No. 962, entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' and the acts amendatory thereof" (No. 1113), reported in favor of the passage of the same, with the following amendments:

Page 7, line 1, strike out the word "same" and insert the word "some," and strike out the word "same" and insert the word "some."

Page 16, line 12, insert the following after the word "sold:" "All terms, requirements, conditions and limitations hereinbefore or hereinafter in this act prescribed for or with relation to any grant to be made to a corporation to be organized under the provisions of this act, and all provisions of this act relating to such grant or to proceedings thereon or to rights, privileges, immunities or remedies thereunder or to forfeitures of such grant, or to the manner, times or conditions of making such grant, shall be applicable to every grant made under the provisions of this act to a railroad company owning or actually operating a railroad within the city; and all duties, obligations, liabilities and penalties by this act imposed upon or to be assumed or incurred by any such corporation to be organized hereunder with respect to or under any provision of any grant to be made to it, shall be and be deemed to be imposed upon and assumed and incurred by any railroad company owning or actually operating a railroad within the city so far as concerns any grant made to such railroad company under the authority of this act, provided, however, that none of the provisions of this act relating to the creation and organization of a corporation hereunder shall be applicable to any such railroad company."

Page 41, line 16, insert the following after the word "provided:" "The form of every contract made by the said board or rapid transit railroad commissioners for the construction of any such rapid transit railway or railways or for the performance of any work necessary to be done or performed in or about the construction thereof and the form of every grant to be made by such board under the provisions of this act, shall be submitted by the said board to the counsel to the corporation or other chief legal adviser for the city for which said board shall act, before it shall be executed by or in behalf of the said board. If the corporation counsel

shall within five days after the delivery of such form at his office propose any amendment or amendments to such contract or grant, the said board shall forthwith assemble for the purpose of passing upon every such amendment; and if any such amendment be approved by the said board by the same number of votes which shall have theretofore authorized such contract or grant, such contract shall not be executed without the incorporation therein of such amendment. But if such amendment be not so approved by the said board, such contract or grant may be executed and made without approval as to form by the counsel to the corporation or other chief legal adviser for said city."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 80, entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (No. 190), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 78, entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (No. 149), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Featherson, Rec. No. 153, entitled "An act to amend section 150 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to

the appointment of deputy comptrollers in the department of finance of the city of New York " (No. 726), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Mazet, and by unanimous consent, said bill was read the second time, and ordered to a third reading and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 79, entitled " An act to provide a board of park commissioners in and for the city of Yonkers, and for the laying out and opening of one or more public parks in said city, and for the improvement and maintenance of said public park or parks " (No. 188), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hallock, Int. No. 1189, entitled " An act in relation to the election of assessors and justices of the peace in the town of Southampton, in the county of Suffolk " (No. 1483), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Henderson, Int. No. 830, entitled " An act in relation to the Pelham road in the villages of Pelham Manor and New Rochelle, county of Westchester, State of New York " (No. 936), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sands, Int. No. 1075, entitled " An act to amend chapter 223 of the Laws of 1890, relating to the raising of money by towns for the proper observance of Memorial or Decoration day " (No. 1288), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Kane, Int. No. 994, entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office'" (No. 1158), reported in favor of the passage of the same, with the following amendments:

Page 2, line 8, after the word "and" change the words "deputies sheriff" to read "deputy sheriffs."

Same page, line 15, after the word "sheriffs" insert the word "or."

Same page, line 16, after the word "or" insert the word "by."

Page 6, line 6, after the word "and" insert the words "the sheriff shall."

Same page, line 7, after the word "exceeding" insert the word "two."

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Tripp, Int. No. 98, entitled "An act to define the size of small fruit packages" (No. 83), reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, after the word "inches" strike out the rest of line and lines 8, 9 and 10 on same page.

Page 2, strike out lines 1, 2, 3, 4, 5, 6, 7 and 8.

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Ramsperger, Rec. No. 114, entitled "An act to amend section 18 of chapter 18 of the general laws known as the 'County Law,' with respect to the printing and distribution of proceedings of boards of supervisors" (No. 683), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Hill, and by unanimous consent, said bill was read the second time and ordered to a third reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Hill, Int. No. 1110, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State, and render judgment therefor" (No. 1337), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Cottle, Int. No. 1087, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Earlls, Thayer & Company against the State for damages alleged to have been sustained by them, and to render judgment therefor" (No. 1300), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Fallows, Int. No. 410, entitled "An act to authorize the Court of Claims to hear and audit the alleged claims of certain auctioneers, and to make awards thereon" (No. 429), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Hutton, Int. No. 646, entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of The E. G. Bernard Company against the State, and to make an award therefor" (No. 692), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Rogers, Int. No. 1072, entitled "An act to confer jurisdiction upon the Court of Claims to hear,

audit and determine the alleged claim of Devillo Palmer against the State for damages alleged to have been sustained by him, and to render judgment therefor" (No. 1285), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Paris, Int. No. 228, entitled "An act giving jurisdiction to the Court of Claims to hear, audit and determine any and all alleged claims and to settle all claims and questions that have arisen or may arise in relation to money under the control of the State, belonging to the Stockbridge tribe or band of Indians or any individual Indian of that tribe or his descendants" (No. 228), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Pickett, Int. No. 178, entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the amount of the claim of Andrew W. Morhouse against the State, and to make an award therefor" (No. 178), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Sprague, Int. No. 227, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him, and to render judgment therefor" (No. 227), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Roberts, Int. No. 1028, entitled "An act to provide for a hearing of the claims of J. W. Van

Slyke and others, for work done and services performed for the State, under the provisions of chapter 577 of the Laws of 1864 " (No. 1211), reported in favor of the passage of the same, with the following amendments:

Page 2, strike out line 12 and insert the following "section 2."

"§ 2. No award shall be made, or judgment rendered herein, against the state unless the facts proved shall make out a case against the state which would create a liability were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to, and render judgment for the claimants for such sums as shall be just and equitable notwithstanding the lapse of time since the accruing of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act.

"§ 3. This act shall take effect immediately."

JOHN E. MASON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Gale, Int. No. 917, entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of John Culleton against the State of New York" (No. 1050), reported in favor of the passage of the following substitute bill:

AN ACT conferring jurisdiction upon the court of claims to hear, audit and determine the claim of John Culleton against the state of New York.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the claim of John Culleton against the state of New York for damages alleged to have been sustained by him by reason of the fact that while he was a convict in Sing Sing prison, and in and during the year eighteen hundred and ninety-six he was compelled by the warden and officer in control of said prison to tease the hair of horse skins upon which there remained putrid flesh which caused him to get blood poison-

ing and to get sick and to become paralyzed and permanently disabled.

§ 2. No award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act.

§ 3. This act shall take effect immediately.

JOHN E. MASON,

Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the Senate bill introduced by Mr. Douglas, Rec. No. 74, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Robert Strong and Frederick Hahn, Clarence C. Race, John C. Granger and James H. Hawkins against the State of New York, for personal injuries growing out of an explosion of naphtha, which occurred at the capitol, in the city of Albany, New York, on or about the 25th day of May, 1898, and render judgment therefor" (No. 533), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 92, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Addison L. Upham against the State for damages alleged to have been sustained by him, and to render judgment therefor" (No. 504), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fordyce, from the committee on public health, to which was referred the bill introduced by Mr. Collier, Int. No. 718, entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and schoolhouses" (No. 783), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fordyce, from the committee on public health, to which was referred the bill introduced by Mr. Schoeneck, Int. No. 1054, entitled "An act for the protection of the public health, and to provide for medical attendance at places of public entertainment" (No. 1243), reported in favor of the passage of the same, with the following amendments:

Page 2, line 2, after the word "surgeon" strike out the words "of at least five years practice."

Same page, line 12, after the period insert "The provisions of this section shall apply only to cities of the first and second class."

Same page, line 13, strike out all after the word "act" down to and including the word "hereof" in line 16.

GEO. S. FORDYCE,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Fordyce, from the committee on public health, to which was referred the bill introduced by the committee on public health, Int. No. 559, entitled "An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter" (No. 592), reported in favor of the passage of the same, with the following amendments:

Page 1, line 4, after the word "yeast" strike out the word "and;" also after the word "water" insert the words "and pure cereal products made only of wheat or corn, or both, by a process purely mechanical and without the use of any liquid or chemicals, or of any other substance."

Same page, line 8, after the word "porter" insert the words "except 'present-use ale,' so called."

Page 2, line 1, strike out the word "three" and insert the word "two."

Same page, line 2, after the word "are" insert the words "or have been."

Page 4, line 8, after the word "yeast" insert a comma and strike out the word "and;" also, after the word "water" insert the words "and pure cereal products."

Page 5, line 19, after the word "made" insert the words "any beer, ale or portér, except present-use ale,' so called."

Same page, line 20, after the word "within" strike out the word "three" and insert the word "two."

GEO. S. FORDYCE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Greenwood, from the committee on excise, to which was referred the bill introduced by Mr. Greenwood, Int. No. 1224, entitled "An act to amend an act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws, being chapter 112 of the Laws of 1896, as amended by chapter 312 of the Laws of 1897, and legalizing elections thereunder" (No. 1555), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the Senate bill No. 848, Rec. No. 164, and Assembly bill No. 1592, Int. No. 786, entitled "An act for the protection of public health, and to prevent mistakes in the handling of poison," reported that they have compared the same and find that they are identical, which report was agreed to, and said Senate bill was ordered substituted for said Assembly bill, and placed on the order of third reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same, without recommendations:

"An act to establish an inferior local court of civil and criminal jurisdiction in the city of Binghamton, to be called the 'City Court of Binghamton.'" (No. 1548, Int. No. 957.)

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,’ in relation to the construction of sewers in the borough of Brooklyn and providing for the payment of the cost thereof by local assessment.” (No. 1460, Int. No. 1024.)

“An act granting additional powers to the Depew & Lancaster Light, Power and Conduit Company.” (No. 1467, Int. No. 216.)

“An act to provide for reduced fares on railroads for school children.” (No. 1464, Int. No. 600.)

“An act to amend section 4, article 1, chapter 592, Laws of 1897, entitled ‘An act in relation to navigation, constituting chapter 30 of the general laws.’” (No. 1514, Int. No. 1011.)

“An act in relation to the heating of railroad cars in cities having a population of 200,000 or over.” (No. 1522, Int. No. 21.)

“An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow the claim of William F. S. Hart, as assignee of George S. Chapman, for expenses and disbursements incurred by George S. Chapman as a police captain in the city of New York during the months of December, 1896, and January, 1897.” (No. 1545, Int. No. 505.)

“An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-sixth ward of the late city of Brooklyn.” (No. 1542, Int. No. 194.)

“An act authorizing the credit and allowance of the claim of Michael Sheehan, against the city of New York, for his reasonable costs, counsel fees, and expenses paid, in successfully defending himself against certain charges of which he was tried before the police commissioners of the city of New York.” (No. 1549, Int. No. 1037.)

“An act to provide for the better administration of justice in

the town of Green Island, county of Albany." (No. 1287, Int. No. 1074.)

"An act to further amend section 184 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' with relation to the commissioners of police." (No. 1471, Int. No. 746.)

"An act to provide for the disposition of the property and the apportionment of the debts of the former town of Watervliet among the municipalities created out of said town." (No. 1221, Int. No. 1038.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1286), entitled "An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer'" (Int. No. 1073), reported the same with the following recommendations:

Amend the title by adding to the end thereof the following words "relative to the salary of coroner."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1465), entitled "An act to amend section 837 of the Greater New York Charter, in relation to setting apart a certain pier in the borough of Manhattan for recreation purposes" (Int. No. 742), reported the same with the following recommendations:

Page 2, line 5, capitalize the words "the city" before the word "of."

Same page, line 24, capitalize the words "the city" before the word "of."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1469), entitled "An act to amend section 284 and 734 of the Greater New York Charter, in relation to the age qualifications of patrolmen and firemen" (Int. No. 958), reported the same with the following recommendations:

Page 2, line 22, after the word "shall" and before the word "in" insert a comma; also in title capitalize the word "the" before the word "greater."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1394), entitled "An act to amend the Lien Law, relating to the creation and enforcement of garment worker's liens" (Int. No. 1137), reported the same with the following recommendations:

Page 1, line 4, after the word "laws" insert the words "quotation marks."

Page 3, line 11, insert a comma after the word "lien" and before the word "as."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1524), entitled "An act to amend the Code of Civil Procedure, in relation to service of process by publication" (Int. No. 162), reported the same with the following recommendations:

Page 1, line 1, before the word "subdivision" insert the following "Section 1."

Same page, line 3, strike out the word "section."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1518), entitled "An act to amend the Fisheries, Game and Forest Law in relation to deer and venison on Long Island" (Int. No. 604), reported the same with the following recommendations:

Page 2, line 6, after the word "prohibited" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1468), entitled "An act to amend section 973 of title 4 of chapter 378 of the Laws of 1897, known as the charter of the Greater New York, requiring the appointment of a resident or property owner upon all commissions appointed to condemn property to public use" (Int. No. 1047), reported the same with the following recommendations:

Page 1, line 3, after the word "ninety-seven" insert the following words: "entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof;'" as to amend the title to read the follows: "An act to amend the Greater New York charter, relative to the appointment of a resident or property owner upon all commissions appointed to condemn property to public use."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1544) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn

and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to a division of notification in the department of finance, by adding a new section thereto to be designated section 1023-a " (Int. No. 338), reported the same with the following recommendations:

Page 1, line 1, before the word "chapter" insert the words "Section 1."

Same page, line 2, after the word "ninety-seven" insert the words "entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof.'"

Page 2, line 1, strike out the word "section" and insert "§."

Page 4, line 18, strike out the figure "5" and insert "§ 2."

Also amend the title so as to read as follows: "An act to amend the Greater New York charter, in relation to a division of notification in the department of finance, by adding a new section thereto to be designated section ten hundred and twenty-three-a."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1519), entitled "An act to amend section 146 of chapter 546 of the Laws of 1896, relating to commitments to houses of refuge and reformatories for women" (Int. No. 365), reported the same with the following recommendation:

Amend the title to read as follows: "An act to amend chapter five hundred and forty-six of the laws of eighteen hundred and ninety-six, entitled 'An act relating to state charities, constituting chapter twenty-six of the general laws,' relating to commitments to houses of refuge and reformatories for women."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

“An act relating to the employment of women and children at polishing or buffing.” (No. 1240, Int. No. 1051.)

“An act to provide for the payment of the costs and disbursements of city and county employes in maintaining actions against such city or county for compensation.” (No. 1433, Int. No. 1052.)

“An act to amend the Labor Law, relating to safety appliances for scaffolding for the use of employes.” (No. 1434, Int. No. 669.)

“An act to authorize the city of Cohoes to borrow money by the issue of bonds for the payment of the expenses, audits and charges of the public improvement commission of the city of Cohoes, organized and created by chapter 904 of the Laws of 1896, and of the public improvement commission of the city of Cohoes, organized and created under chapter 227 of the Laws of 1898.” (No. 1173, Int. No. 1004.)

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,’ relating to newspapers to be designated in which corporate notices are to be advertised.” (No. 753, Int. No. 691.)

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,’ in relation to magistrates’ courts.” (No. 1584, Int. No. 430.)

“An act to amend the Game Law, in relation to the hunting of hares and rabbits in certain counties.” (No. 1583, Int. No. 66.)

“An act to authorize the city of Rochester to issue bonds to pay notes and acceptances issued on account of local improvements.” (No. 1590, Int. No. 626.)

“An act to amend ‘the Greater New York charter,’ relating to the board of pharmacy.” (No. 1581, Int. No. 215.)

“An act to amend chapter 317 of the Laws of 1894, entitled ‘An act in relation to the public lands, constituting chapter 11 of the general laws.’” (No. 1587, Int. No. 1060.)

“An act to amend the Public Health Law, in relation to dental degrees.” (No. 1418, Int. No. 1151.)

“An act to legalize certain acts of the board of supervisors of Monroe county in relation to the publication of their official proceedings.” (No. 1515, Int. No. 847.)

“An act to correct and straighten the boundary lines of the Eighth and Thirteenth wards of the city of Utica by annexing parts of the Fifth ward thereto.” (No. 1308, Int. No. 1095.)

“An act to continue in office the park commissioners of the city of Rochester.” (No. 1535, Int. No. 482.)

“An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths.” (No. 1534, Rec. No. 60.)

“An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon,’ relating to issue of bonds for street paving.” (No. 1580, Int. No. 868.)

“An act to amend chapter 955, Laws of 1896, relating to the protection and education of farmers and manufacturers in the purchase and sale of fertilizers.” (No. 1536, Int. No. 878.)

“An act to amend section 791 of the Code of Civil Procedure.” (No. 1582, Int. No. 405.)

“An act to amend chapter 182 of the Laws of 1892, entitled ‘An act to incorporate the city of Mount Vernon,’ relating to the issue of highway repair bonds.” (No. 1585, Int. No. 892.)

“An act to amend section 3256 of the Code of Civil Procedure relating to costs.” (No. 1579, Int. No. 776.)

“An act in relation to trespasses on inclosed or cultivated lands.” (No. 1537, Int. No. 393.)

“An act to amend the Domestic Relations Law, relating to the contents of indentures of apprenticeship.” (No. 1589, Int. No. 608.)

“An act to amend the Code of Civil Procedure, relating to the allowance of costs against municipal corporations.” (No. 1586, Int. No. 700.)

“An act providing for the examination of applicants for foremen, inspectors and supervisors of public works by the State or any State officer or State department, or by any city, city officer or city department.” (No. 1588, Int. No. 850.)

“An act to make the office of sheriff of Seneca county a salaried office, and to regulate the management thereof.” (No. 1539, Int. No. 433.)

“An act to amend section 1757 of the Code of Civil Procedure, relating to actions for divorce.” (No. 1540, Int. No. 87.)

“An act to amend chapter 635 of the Laws of 1895, entitled ‘An act to revise the charter of the city of Yonkers,’ relative to the powers of the common council.” (No. 1538, Int. No. 890.)

“An act to amend chapter 710 of the Laws of 1895, entitled ‘An act to establish the office of comptroller in the city of Mount Vernon, providing for the appointment of such officer and defining his rights and duties.’” (No. 1541, Int. No. 869.)

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 460, entitled “An act to amend section 6 of the Code of Civil Procedure in relation to a court transacting business on Sunday” (Rec. No. 43), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No.

16, entitled "An act to amend the Executive Law relative to notarial clerks" (Rec. No. 40), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 124, entitled "An act to legalize certain assessments" (Rec. No. 8), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly thereto:

"An act authorizing the construction of a masonry covering over the channel leading from the waste weir, west of lock No. 39 of the Erie canal, in the city of Little Falls, New York." (No. 13, Assembly reprint No. 1335, Rec. No. 45.)

"An act to amend the Code of Criminal Procedure, relative to witnesses' fees to public officers." (No. 465, Assembly reprint No. 1333, Rec. No. 51.)

"An act to amend section 944 of the Code of Civil Procedure relating to evidence of documents and records of departments of the United States." (No. 347, Assembly reprint No. 1332, Rec. No. 39.)

Ordered, That the Clerk return said bills to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 243 of the Laws of 1859, entitled 'An act to amend the charter and several acts relating to the

village of Waterford and to incorporate the same into one act,' as amended by chapter 141 of the Laws of 1888, so as to enlarge the corporate limits of said village." (No. 966, Int. No. 315.)

"An act to repeal the first and second sections of chapter 617 of the Laws of 1897, entitled 'An act in relation to the support of the poor in the county of Montgomery, and to repeal certain acts and parts of acts.'" (No. 928, Int. No. 822.)

"An act for the protection of quail in the county of Montgomery." (No. 1406, Int. No. 530.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning Assembly bill No. 25, entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of constructing a steel girder bridge over Onondaga creek at its intersection with West Fayette street in the city of Syracuse" (Int. No. 25), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning Assembly bill No. 816, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department" (Int. No. 402), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Coughtry gave notice that on Thursday, March 16, he would call up Assembly bill No. 1260, entitled "An act to amend chapter 285 of the Laws of 1880, entitled 'An act to provide for repairing or rebuilding and enlarging the city hall of the city of Albany, for the use of said city and the use of the county of Albany, and to provide means for the payment therefor'" (Int. No. 862), the same having been laid aside on the order of third reading.

Mr. G. T. Kelly.—I desire to raise the point or order, that as this bill was laid aside temporarily, he cannot call—make this a special order for to-morrow except by a two-thirds vote.

Mr. Allds.—This bill was laid aside; the gentleman from Albany gives the usual privileged notice; there is nothing in order to debate at this time.

Mr. G. T. Kelly.—I desire to call the Speaker's attention to Rule 16—any matter made a special order for any particular day by the assent of two-thirds of the members present.

Mr. Speaker.—The Chair decides the point not well taken.

Mr. G. T. Kelly.—I desire to call the Speaker's attention to ruling on page 208. It reads as follows: "Any matter made special order, etc." (reading)

Mr. Speaker.—The Chair is inclined to think that it does not apply to the present case.

Mr. Farrell gave notice that on Thursday, March 16th, he would call up the bill, No. 1227, entitled "An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York" (Int. No. 592), the same having been laid aside on the order of third reading.

Mr. Brewster gave notice that on Thursday, March 16th, he would call up the bill, No. 1267, entitled "An act to annex certain portions of the town of Lansingburg in the county of Rensselaer to the towns of Brunswick and Schaghticoke respectively" (Int. No. 450), the same having been laid aside on the order of second reading.

The privileges of the floor were extended to Hon. James M. E. O'Grady of Monroe, former speaker of the Assembly, Hon. Frank D. Pavey of New York, and Hon. Bird S. Coler.

Mr. Speaker presented the annual report of the New York State Agricultural Society, which was laid upon the table and ordered printed.

(See document.)

By unanimous consent,

Mr. Ellis introduced a bill entitled "An act to amend the County Law, in relation to the destruction and extirpation of Rus-

sian thistles" (Int. No. 1313), which was read the first time, and referred to the committee on agriculture.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Flushing, Jamaica and a part of the town of Hempstead, prior to January 1, 1898" (Int. No. 1312), which was read the first time, and referred to the committee on affairs of cities.

On motion of Mr. Allds, the House adjourned.

THURSDAY, MARCH 16, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Delmer E. Croft.

On motion of Mr. McKeown, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bill:

"An act relating to the discontinuance of proceedings for the improvements of certain streets in Twenty-sixth ward of the late city of Brooklyn" (No. 69, Rec. No. 165), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker announced the special order, being the bill (No. 1456), entitled "An act to amend 'The Greater New York Charter,' relating to the appointment of justices of the Court of Special Sessions and city magistrates." (Int. No. 292.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 138 {
 } NOES 00 {

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McKeown	Sawyer
Allds	Cross	Guider	McMillan	Schmid A F
Apgar	Darrison	Hallock	Meister	Schmid F
Axtell	Davis	Harburger	Meyer	Schoeneck
Babcock	Dean	Hatch	Murphy	Sears
Baker	De Graw	Hays	O'Connell	Siems
Ball	Delaney	Heller	O'Connor	Slater
Barrett	Dillon	Henderson	Palmer	Sloane C A
Bashford	Doughty	Henry	Paris	Sloane J J
Baum	Dutton	Hill	Patton	Smith J E
Bedell	Egan	Hitchcock	Phillips	Snyder
Beede	Ellis	Hoffman	Pickett	Sprague
Boland	Evarts	Hutton	Post	Stoneman
Brennan E C	Fallows	Johnson	Poth	Streifler
Brennan J F	Fancher	Kelley E E	Redington	Sullivan T P
Brewster	Farrell	Kelly G T	Riedman	Sullivan W J
Brown	Finn	Kelsey	Rierdon	Thorn
Bryan	Fish	Kullman	Roberts	Torborg
Bulkley	Fitzgerald	Lewis M E	Roche	Trainor
Burnett	Fordyce	Lewis T D	Rodenbeck	Tripp
Cain	Fowler	Litchard	Rogers	Ware
Clark	Gallagher	Maher	Rowe	West
Collier	Gardiner	Mangin	Sabine	Whipple
Collins	Gleason	Martin	Sage H M	Wilson
Costello	Gould	Mason	Sage S B	Wingenfeld
Cottle	Graham	Mazet	Sandford	Wissel
Cotton	Green	McEwan	Sands	Witter
Coughtry	Greenwood	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1457) entitled "An act to amend 'the Greater New York charter,' relative to the legislative department" (Int. No. 959).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Meyer	Schmid F
Allds	Cross	Harburger	Miles	Schoeneck
Apgar	Darrison	Hatch	Mohring	Sears
Axtell	Davis	Heller	Murphy	Sharkey
Babcock	Dean	Henderson	O'Connell	Seims
Baker	De Graw	Henry	O'Connor	Slater
Ball	Dillon	Hill	Palmer	Sloane J J
Barrett	Doughty	Hitchcock	Patton	Smith J E
Bashford	Dutton	Hoffman	Phillips	Smith J T
Baum	Egan	Hutton	Pickett	Snyder
Bedell	Ellis	Johnson	Poth	Stoneman
Beede	Evarts	Juengst	Redington	Streifler
Boland	Fallows	Kelley E E	Rierdon	Sullivan T P
Brennan E C	Finn	Kelly G T	Roberts	Sullivan W J
Brennan J F	Fish	Kelsey	Roche	Ten Eyck
Brewster	Fitzgerald	Kullman	Rodenbeck	Thorn
Bryan	Fordyce	Lewis M E	Rogers	Torborg
Bulkley	Fowler	Lewis T D	Rowe	Trainor
Burnett	Gale	Litchard	Russell	Tripp
Cain	Gallagher	Maher	Sabine	Vincent
Clark	Gardiner	Mangin	Sage H M	Ware
Collier	Gould	Martin	Sage S B	West
Collins	Graham	Mazet	Sanders	Whipple
Costello	Green	McEwan	Sandford	Wilson
Cottle	Greenwood	McKeown	Sands	Wingenfeld
Cotton	Grossman	McMillan	Sawyer	Wissel
Coughtry	Guider	Meister	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The hour of 12 o'clock m. having arrived,

Mr. Speaker announced the special order, being the bill (No. 1114) entitled "An act to authorize the construction of a bridge over the East river, in the city of New York, and to provide for the use thereof by railroad companies, bicyclists, trucks, carriages and foot passengers." (Int. No. 19.)

Said bill having been announced for a third reading,

Mr. Roche moved that said bill be recommitted to the commit-

tee on commerce and navigation, with instructions to report the same forthwith amended as follows:

Page 1, line 1, strike out the word "governor" and insert in place thereof the word "mayor."

Same page, line 2, strike out the words "of the state of New York" and insert in place thereof the words "the city of New York."

By unanimous consent, Mr. Sanders moved that said bill be recommitted to the committee on commerce and navigation, with instructions to report the same forthwith amended as follows:

Page 2, line 17, by inserting the words "the vicinity of" before the words "Fulton ferry."

Page 3, lines 11, 12, 13, 14 and 15, by striking out the words "and they may by a two-thirds vote of their number purchase or acquire, as hereinafter provided, the rights, franchise or property of any corporation that has the right or franchise to construct a bridge across the East river within the limits specified in this section."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Davis	Henderson	Mohring	Schmid A F
Allds	Dean	Henry	Murphy	Schmid F
Apgar	De Graw	Hill	O'Connell	Schoeneck
Axtell	Delaney	Hitchcock	O'Connor	Sears
Babcock	Dillon	Hoffman	Palmer	Sharkey
Baker	Doughty	Hutton	Paris	Siems
Ball	Egan	Johnson	Patton	Slater
Barrett	Ellis	Juengst	Phillips	Sloane C A
Bashford	Evarts	Kelley E E	Pickett	Smith J E
Baum	Fancher	Kelly G T	Post	Snyder
Bedell	Finn	Kelsey	Poth	Sprague
Beede	Fish	Kullman	Redington	Stoneman
Boland	Fitzgerald	Lewis M E	Rierdon	Streifer
Brennan E C	Fordyce	Lewis T D	Roberts	Sullivan W J
Brennan J F	Fowler	Litchard	Roche	Ten Eyck
Brewster	Gale	Maher	Rodenbeck	Thorn
Buikley	Gallagher	Mangin	Rogers	Torborg
Burnett	Gardiner	Martin	Rowe	Trainor
Cain	Gleason	Mason	Russell	Tripp

Clark	Gould	Mazet	Sabine	Vincent
Collier	Graham	McEwan	Sage H M	West
Collins	Greenwood	McInerney	Sage S B	Whipple
Cottle	Hallock	McKeown	Sanders	Wilson
Cotton	Harburger	McMillan	Sandford	Wingenfeld
Coughtry	Hatch	Meister	Sands	Wissel
Cross	Hays	Meyer	Sawyer	Witter
Darrison	Heller			

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. J. T. Smith, Dutton and Bryan, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker stated the question to be on the motion of Mr. Roche to amend said bill.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Roche, and it was determined in the negative.

Mr. Speaker stated the question to be on the motion of Mr. Sanders to amend said bill.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Sanders, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
 { NOES 59 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	Mazet	Sawyer
Allds	Coughtry	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater
Axtell	Darrison	Hallock	Murphy	Sloane C A
Babcock	Davis	Hatch	Paris	Smith J T
Baker	De Graw	Hays	Patton	Snyder
Bedell	Delaney	Henry	Post	Sprague
Beede	Doughty	Hill	Roberts	Stoneman
Brennan E C	Dutton	Hitchcock	Rodenbeck	Ten Eyck
Brewster	Ellis	Johuson	Rogers	Thorn
Bryan	Evarts	Kelley E E	Rowe	Tripp
Bulkley	Fallows	Kelsey	Russell	Vincent
Burnett	Fancher	Lewis M E	Sabine	West
Clark	Fish	Lewis T D	Sage H M	Whipple
Collier	Fordyce	Litchard	Sandford	Wilson
Costello	Fowler	Martin	Sands	Witter
Cottle	Gardiner	Mason		

Those who voted in negative, were

Ball	Fitzgerald	Kelly G T	Phillips	Sharkey
Bashford	Gale	Kullman	Pickett	Siems
Baum	Gallagher	Maher	Poth	Sloane J J
Boland	Gould	Mangin	Redington	Smith J E
Brennan J F	Grossman	McInerney	Riedman	Streifler
Cain	Harburger	McKeown	Rierdon	Sullivan T P
Collins	Heller	Meister	Roche	Sullivan W J
Dean	Henderson	Meyer	Sage S B	Torborg
Dillon	Hoffman	Mohring	Sanders	Trainor
Egan	Hutton	O'Connell	Schmid A F	Wingenfeld
Farrell	Juengst	O'Connor	Schmid F	Wissel
Finn	Kane	Palmer	Schoeneck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1535) entitled "An act to continue in office the park commissioners of the city of Rochester" (Int. No. 482), was

read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch.	Meyer	Schmid F
Allds	Darrison	Heller	Miles	Schoeneck
Apgar	Davis	Henderson	Mohring	Sears
Axtell	Dean	Henry	Murphy	Sharkey
Babcock	De Graw	Hill	O'Connell	Siems
Baker	Delaney	Hitchcock	O'Connor	Slater
Ball	Dillon	Hoffman	Palmer	Sloane C A
Barrett	Doughty	Hutton	Paris	Sloane J J
Bashford	Dutton	Johnson	Patton	Smith J E
Baum	Egan	Juengst	Phillips	Smith J T
Bedell	Ellis	Kane	Pickett	Snyder
Beede	Evarts	Kelley E E	Post	Sprague
Boland	Fallows	Kelly G T	Poth	Stoneman
Brennan E C	Fancher	Kelsey	Redington	Streifler
Brennan J F	Farrell	Kullman	Riedman	Sullivan T P
Brewster	Fish	Lewis M E	Rierdon	Sullivan W J
Bryan	Fitzgerald	Lewis T D	Roberts	Ten Eyck
Bulkley	Fordyce	Litchard	Roche	Thorn
Burnett	Fowler	Maher	Rogers	Trainor
Cain	Gallagher	Mangin	Rowe	Tripp
Clark	Gardiner	Martin	Russell	Vincent
Collier	Gould	Mason	Sabine	Ware
Collins	Graham	Mazet	Sage S B	West
Costello	Greenwood	McEwan	Sanders	Whipple
Cotton	Guider	McInerney	Sandford	Wingenfeld
Coughtry	Hallock	McMillan	Sands	Wissel
Cowles	Harburger	Meister	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Hill in the chair.

The bill (No. 1539) entitled "An act to make the office of sheriff of Seneca county a salaried office, and to regulate the

management thereof " (Int. No. 433), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McKeown	Schmid F
Allds	Darrison	Hallock	Meister	Schoeneck
Apgar	Davis	Harburger	Meyer	Sears
Axtell	Dean	Hatch	Mohring	Sharkey
Babcock	De Graw	Hays	Murphy	Siems
Baker	Delaney	Heller	O'Connell	Slater
Ball	Dillon	Henderson	O'Connor	Sloane C A
Barrett	Doughty	Henry	Palmer	Sloane J J
Bashford	Dutton	Hill	Patton	Smith J E
Baum	Egan	Hitchcock	Phillips	Smith J T
Bedell	Ellis	Hoffman	Pickett	Sprague
Beede	Evarts	Hutton	Post	Stoneman
Boeland	Fallows	Johnson	Poth	Streifler
Brennan E C	Fancher	Juengst	Riedman	Sullivan W J
Brennan J F	Farrell	Kane	Rierdon	Ten Eyck
Brewster	Finn	Kelley E E	Roche	Thorn
Brown	Fish	Kelly G T	Rodenbeck	Torborg
Bryan	Fitzgerald	Kelsey	Rogers	Trainor
Bulkley	Fordyce	Kullman	Rowe	Tripp
Cain	Fowler	Lewis M E	Russell	Vincent
Clark	Gale	Lewis T D	Sabine	Ware
Collier	Gallagher	Litchard	Sage H M	West
Collins	Gardiner	Maher	Sage S B	Whipple
Costello	Gleason	Mangin	Sanders	Wilson
Cottle	Gould	Martin	Sandford	Wingenfeld
Cotton	Green	Mason	Sawyer	Wissel
Coughtry	Greenwood	Mazet	Schmid A F	Witter
Cowles	Grossman	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1581) entitled "An act to amend 'the Greater New York charter,' relating to the board of pharmacy" (Int. No. 215), having been announced for a third reading,

Mr. Maher moved that said bill be recommitted to the committee on affairs of cities, with instructions to said committee to report the same forthwith amended as follows:

Strike out all of subdivision 3 of section 1513.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Maher, and it was determined in the negative.

{ AYES 42 }
{ NOES 63 }

Those who voted in the affirmative, were

Barrett	Grossman	McKeown	Riedman	Sharkey
Bashford	Harburger	Meyer	Rierdon	Siems
Eaum	Heller	Murphy	Roche	Sloane J J
Collins	Henderson	Palmer	Rodenbeck	Smith J E
Dillon	Hutton	Phillips	Sabine	Streifler
Egan	Juengst	Pickett	Sage S B	Torborg
Farrell	Kane	Poth	Sanders	Trainor
Finn	Kelly G T	Redington	Schmid A F	Wissel
Fitzgerald	Maher			

Those who voted in the negative, were

Allds	Cross	Hallock	Paris	Sloane C A
Axtell	Darrison	Hatch	Patton	Snyder
Babcock	Davis	Hays	Post	Sprague
Baker	De Graw	Henry	Roberts	Ten Eyck
Beede	Ellis	Hill	Rogers	Thorn
Brewster	Evarts	Johnson	Rowe	Tripp
Bryan	Fallows	Kelsey	Russell	Vincent
Burnett	Fancher	Lewis M E	Sage H M	Ware
Clark	Fordyce	Martin	Sandford	West
Collier	Fowler	Mason	Sands	Whipple
Costello	Gleason	Mazet	Sears	Wilson
Cotton	Graham	McEwan	Slater	Witter
Coughtry	Greenwood	McMillan		

On motion of Mr. Mazet, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1590) entitled "An act to authorize the city of Rochester to issue bonds to pay notes and acceptances issued on account of local improvements" (Int. No. 626), was read the third

time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES '00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meister	Schmid F
Alds	Davis	Harburger	Meyer	Schoeneck
Apgar	Dean	Hatch	Mohring	Sears
Axtell	De Graw	Hays	Murphy	Sharkey
Babcock	Delaney	Heller	O'Connell	Siems
Baker	Dillon	Henderson	O'Connor	Slater
Ball	Doughty	Henry	Palmer	Sloane C A
Barrett	Dutton	Hill	Paris	Sloane J J
Bashford	Egan	Hitchcock	Patton	Smith J E
Baum	Ellis	Hoffman	Phillips	Smith J T
BedeN	Evarts	Hutton	Pickett	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Sullivan W J
Brennan J F	Finn	Kelly G T	Rierdon	Ten Eyck
Brewster	Fish	Kelsey	Roche	Thorn
Brown	Fitzgerald	Kullman	Rodenbeck	Torborg
Bryan	Fowler	Lewis T D	Rogers	Trainor
Bulkley	Gale	Litchard	Rowe	Tripp
Cain	Gallagher	Maher	Russell	Vincent
Clark	Gardiner	Mangin	Sabine	Ware
Collier	Gould	Martin	Sage H M	West
Collins	Graham	Mason	Sage S I'	Whipple
Costello	Green	McEwan	Sanders	Wilson
Cottle	Greenwood	McInerney	Sandford	Wingenfeld
Cotton	Grossman	McKeown	Sands	Wissel
Coughtry	Guider	McMillan	Schmid A F	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 53, Assembly reprint No. 1583) entitled "An act to amend the Game Law, in relation to the hunting of

hares and rabbits in certain counties " (Rec. No. 66), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meyer	Sawyer
Allds	Darrison	Hatch	Miles	Schmid A F
Apgar	Davis	Hays	Mohring	Schmid F
Axtell	Dean	Heller	Murphy	Schoeneck
Babcock	De Graw	Henderson	O'Connell	Sears
Baker	Delaney	Henry	O'Connor	Sharkey
Ball	Doughty	Hill	Palmer	Siems
Barrett	Dutton	Hitchcock	Paris	Sloane C A
Bashford	Egan	Hoffman	Patton	Sloane J J
Baum	Ellis	Johnson	Phillips	Smith J E
Bedell	Evarts	Juengst	Pickett	Smith J T
Beede	Fallows	Kane	Post	Sawyer
Boland	Fancher	Kelley E E	Poth	Sprague
Brennan E C	Farrell	Kelly G T	Redington	Streifler
Brennan J F	Finn	Kelsey	Riedman	Sullivan T P
Brewster	Fish	Kullman	Rierdon	Sullivan W J
Brown	Fitzgerald	Lewis T D	Roberts	Ten Eyck
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Litchard	Rodenbeck	Torborg
Burnett	Gale	Maher	Rogers	Trainor
Cain	Gallagher	Martin	Rowe	Tripp
Clark	Gardiner	Mason	Russell	Ware
Collier	Gould	Mazet	Sabine	West
Costello	Graham	McEwan	Sage S B	Whipple
Cottle	Green	McInerney	Sage H M	Wingenfeld
Cotton	Greenwood	McKeown	Sanders	Wissel
Coughtry	Grossman	McMillan	Sandford	Witter
Cowles	Hallock	Meister	Sands	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments

The bill (No. 1540) entitled "An act to amend section 1757 of the Code of Civil Procedure, relating to actions for divorce" (Int. No. 87), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McKeown	Schmid F
Allds	Cowles	Greenwood	McMillan	Schoeneck
Apgar	Cross	Guider	Meister	Sharkey
Axtell	Davis	Hallock	Meyer	Siems
Babcock	Dean	Harburger	Mohring	Slater
Baker	De Graw	Hatch	O'Connell	Sloane C A
Ball	Delaney	Hays	O'Connor	Smith J E
Barrett	Dillon	Henderson	Palmer	Smith J T
Bashford	Doughty	Henry	Paris	Snyder
Baum	Dutton	Hitchcock	Phillips	Stoneman
Bedell	Egan	Hoffman	Pickett	Streifler
Beede	Ellis	Hutton	Post	Sullivan T P
Boland	Evarts	Johnson	Poth	Sullivan W J
Brennan E	CFallows	Juengst	Riedman	Ten Eyck
Brennan J	FFancher	Kane	Rierdon	Thorn
Brewster	Farrell	Kelley E E	Roberts	Torborg
Brown	Finn	Kelly G T	Roche	Trainor
Bryan	Fish	Kelsey	Rogers	Tripp
Bulkley	Fitzgerald	Kullman	Rowe	Vincent
Burnett	Fordyce	Lewis M E	Russell	Ware
Cain	Fowler	Lewis T D	Sabine	West
Clark	Gale	Litchard	Sage H M	Whipple
Collier	Gallagher	Maher	Sage S B	Wilson
Collins	Gardiner	Mangin	Sanders	Wingenfeld
Costello	Gleason	Mason	Sandford	Wissel
Cottle	Gould	Mazet	Sawyer	Witter
Cotton	Graham	McEwan	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1582) entitled "An act to amend section 791 of the Code of Civil Procedure" (Int. No. 405), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	McKeown	Schmid A F
Allds	Cross	Greenwood	McMillan	Schmid F
Apgar	Darrison	Grossman	Meyer	Schoeneck
Axtell	Davis	Guider	Miles	Sears
Babcock	Dean	Hallock	Mohring	Sharkey
Baker	De Graw	Harburger	O'Connell	Siems
Ball	Delaney	Hays	O'Connor	Slater
Barrett	Dillon	Heller	Palmer	Sloane C A
Bashford	Doughty	Henderson	Paris	Smith J E
Baum	Dutton	Henry	Phillips	Smith J T.
Bedell	Egan	Hill	Pickett	Snyder
Beede	Ellis	Hitchcock	Post	Sprague
Boland	Evarts	Hoffman	Poth	Stoneman
Brennan E C	Fallows	Johnson	Redington	Streifler
Brennan J F	Fancher	Juengst	Riedman	Sullivan T P
Brewster	Farrell	Kane	Rierdon	Ten Eyck
Brown	Finn	Kelly G T	Roberts	Thorn
Bryan	Fish	Kelsey	Roche	Torborg
Bulkley	Fitzgerald	Kullman	Rodenbeck	Trainor
Burnett	Fordyce	Lewis M E	Rogers	Tripp
Cain	Fowler	Lewis T D	Rowe	Vincent
Clark	Gale	Maher	Sabine	West
Collier	Gallagher	Mangin	Sage H M	Whipple
Collins	Gardiner	Mason	Sage S B	Wilson
Costello	Gleason	Mazet	Sanders	Wingenfeld
Cottle	Gould	McEwan	Sandford	Wissel
Cotton	Graham	McInerney	Sands	Witter
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1589) entitled "An act to amend the Domestic Relations Law, relating to the contents of indentures of apprenticeship" (Int. No. 608) having been announced for a third reading,

Mr. Streifler moved that said bill be recommitted to the committee on general laws with instructions to report the same forthwith amended as follows:

Page 2, line 3, after the word "provided" insert the words "either by the master or employer, or by the parent or guardian of the apprentice."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Streifler, and it was determined in the affirmative.

Mr. Fish, from the committee on general laws, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1586) entitled "An act to amend the Code of Civil Procedure, relating to the allowance of costs against municipal corporations" (Int. No. 700), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McMillan	Schmid A F
Allds	Darrison	Guider	Meister	Schmid F
Apgar	Davis	Hallock	Meyer	Sears
Axtell	Dean	Harburger	Mohring	Sharkey
Babcock	De Graw	Hatch	Murphy	Siems
Baker	Delaney	Hays	O'Connell	Sloane C A
Ball	Dillon	Heller	O'Connor	Sloane J J
Barrett	Doughty	Henderson	Palmer	Smith J E
Bashford	Dutton	Henry	Paris	Smith J T
Baum	Egan	Hill	Phillips	Snyder

Bedell	Ellis	Hitchcock	Pickett	Sprague
Beede	Evarts	Hoffman	Post	Stoneman
Boland	Fallows	Hutton	Poth	Sullivan T P
Brennan E O	Fancher	Juengst	Redington	Sullivan W J
Brennan J F	Farrell	Kane	Riedman	Ten Eyck
Brewster	Finn	Kelly G T	Rierdon	Thorn
Brown	Fish	Kelsey	Roche	Torborg
Bryan	Fitzgerald	Kullman	Rodenbeck	Trainor
Bulkley	Fordyce	Lewis M E	Rogers	Tripp
Burnett	Fowler	Lewis T D	Rowe	Vincent
Cain	Gale	Litchard	Sabine	Ware
Clark	Gallagher	Mangin	Sage H M	West
Collier	Gardiner	Martin	Sage S B	Whipple
Collins	Gleason	Mason	Sanders	Wilson
Costello	Gould	Mazet	Sandford	Wingenfeld
Cottle	Graham	McEwan	Sands	Wissel
Cotton	Green	McInerney	Sawyer	Witter
Coughtry	Greenwood	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1537) entitled "An act in relation to trespasses on inclosed or cultivated lands" (Int. No. 393), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McMillan	Schmid A F
Allds	Cross	Hallock	Meister	Schmid F
Apgar	Davis	Harburger	Meyer	Schoeneck
Axtell	Dean	Hatch	Mohring	Sears
Babcock	De Graw	Hays	Murphy	Sharkey
Baker	Delaney	Henderson	O'Connell	Siems
Ball	Dillon	Henry	O'Connor	Slater
Barrett	Doughty	Hill	Paris	Sloane C A

Bashford	Dutton	Hitchcock	Patton	Sloane J J
Baum	Egan	Hoffman	Phillips	Smith J E
Bedell	Ellis	Hutton	Post	Smith J T
Beede	Evarts	Johnson	Poth	Snyder
Boland	Fallows	Kane	Redington	Sprague
Brennan E C	Fancher	Kelley E E	Riedman	Stoneman
Brennan J F	Farrell	Kelly G T	Rierdon	Streifler
Brewster	Finn	Kelsey	Roberts	Sullivan W J
Brown	Fish	Kullman	Roche	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Rodenbeck	Thorn
Bulkley	Fordyce	Lewis T D	Rogers	Torborg
Burnett	Fowler	Litchard	Rowe	Trainor
Cain	Gale	Maher	Sabine	Vincent
Clark	Gardiner	Mangin	Sage H M	Ware
Collier	Gleason	Martin	Sage S B	West
Collins	Gould	Mason	Sanders	Whipple
Costello	Graham	Mazet	Sandford	Wilson
Cottle	Green	McInerney	Sands	Wissel
Cotton	Greenwood	McKeown	Sawyer	Witter
Coughtry	Grossman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1536) entitled "An act to amend chapter 955, Laws of 1896, relating to the protection and education of farmers and manufacturers in the purchase of fertilizers" (Int. No. 878), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McEwan	Sands
Allds	Cowles	Greenwood	McInerney	Sawyer
Apgar	Cross	Grossman	McKeown	Schmid A F
Axtell	Darrison	Guider	McMillan	Schmid F
Babcock	Davis	Hallock	Meyer	Schoeneck

Baker	Dean	Harburger	Miles	Sears
Ball	De Graw	Hatch	Mohring	Sharkey
Barrett	Delaney	Hays	Murphy	Siems
Bashford	Dillon	Heller	O'Connell	Slater
Baum	Doughty	Henderson	O'Connor	Sloane C A
Bedell	Dutton	Henry	Palmer	Sloane J J
Beede	Egan	Hill	Patton	Smith J E
Boland	Ellis	Hoffman	Phillips	Smith J T
Brennan E C	Fallows	Johnson	Pickett	Snyder
Brennan J F	Fancher	Kane	Poth	Sprague
Brewster	Farrell	Kelley E E	Redington	Stoneman
Brown	Finn	Kelly G T	Rierdon	Sullivan W J
Bryan	Fish	Kelsey	Roberts	Ten Eyck
Bulkley	Fitzgerald	Kullman	Roche	Thorn
Burnett	Fordyce	Lewis M E	Rodenbeck	Torborg
Cain	Fowler	Lewis T D	Rogers	Tripp
Clark	Gale	Litchard	Rowe	Ware
Collier	Gallagher	Maher	Russell	West
Collins	Gardiner	Mangin	Sabine	Wilson
Costello	Gleason	Martin	Sage H M	Wingenfeld
Cottle	Gould	Mason	Sage S B	Wissel
Cotton	Graham	Mazet	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1584) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to Magistrates' Courts" (Int. No. 430), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McMillan	Sawyer
Allds	Cross	Hallock	Meister	Schmid A F
Apgar	Darrison	Harburger	Meyer	Schmid F
Axtell	Davis	Hatch	Miles	Schoeneck
Babcock	Dean	Hays	Mohring	Sears
Baker	De Graw	Heller	Murphy	Sharkey
Ball	Delaney	Henderson	O'Connell	Siems
Barrett	Dillon	Henry	O'Connor	Slater
Bashford	Doughty	Hill	Palmer	Sloane C A
Baum	Dutton	Hitchcock	Paris	Sloane J J
Bedell	Egan	Hoffman	Phillips	Smith J E
Beede	Ellis	Johnson	Pickett	Smith J T
Boland	Evarts	Juengst	Poth	Snyder
Brennan E C	Fallows	Kane	Redington	Sprague
Brennan J F	Fancher	Kelley E E	Riedman	Stoneman
Brewster	Finn	Kelly G T	Rierdon	Streifler
Brown	Fish	Kelsey	Roberts	Sullivan T P
Bryan	Fitzgerald	Kullman	Roche	Ten Eyck
Bulkley	Fordyce	Lewis M E	Rodenbeck	Thorn
Burnett	Fowler	Lewis T D	Rogers	Torborg
Cain	Gale	Maher	Rowe	Tripp
Clark	Gallagher	Mangin	Russell	Ware
Collier	Gleason	Martin	Sabine	West
Collins	Gould	Mason	Sage H M	Wilson
Costello	Graham	Mazet	Sage S B	Wingenfeld
Cottle	Green	McEwan	Sanders	Wissel
Cotton	Greenwood	McInerney	Sandford	Witter
Coughtry	Grossman	McKeown	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1538) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers,' relative to the powers of the common council" (Int. No. 890), having been announced for a third reading,

On motion of Mr. Trainor, said bill was ordered stricken from the calendar.

The bill (No. 1538) entitled "An act to amend chapter 635 of the Laws of 1892, entitled 'An act to revise the charter of the city of Mount Vernon,' relating to the issue of highway repair bonds" (Int. No. 892), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McMillan	Sawyer
Allds	Cowles	Greenwood	Meyer	Schmid A F
Apgar	Cross	Grossman	Miles	Schmid F
Axtell	Darrison	Guider	Mohring	Schoeneck
Babcock	Davis	Hallock	Murphy	Sharkey
Baker	De Graw	Harburger	O'Connell	Siems
Ball	Delaney	Hatch	O'Connor	Slater
Barrett	Dillon	Hays	Palmer	Sloane J J
Bashford	Doughty	Henderson	Paris	Smith J E
Baum	Dutton	Hill	Phillips	Smith J T
Bedell	Egan	Hoffman	Pickett	Snyder
Beede	Ellis	Johnson	Post	Sprague
Boland	Evarts	Kane	Poth	Streitler
Brennan E C	Fallows	Kelley E E	Redington	Sullivan T P
Brennan J F	Fancher	Kelly G T	Riedman	Sullivan W J
Brewster	Farrell	Kelsey	Rierdon	Ten Eyck
Brown	Finn	Kullman	Roberts	Thorn
Bryan	Fish	Lewis M E	Roche	Torborg
Bulkley	Fitzgerald	Lewis T D	Rogers	Trainor
Burnett	Fordyce	Litchard	Rowe	Vincent
Cain	Fowler	Maher	Russell	Ware
Clark	Gale	Mangin	Sabine	Whipple
Collier	Gallagher	Martin	Sage H M	Wilson
Collins	Gardiner	Mason	Sage S B	Wingenfeld
Costello	Gleason	McEwan	Sandford	Wissel
Cottle	Gould	McInerney	Sands	Witter
Cotton	Graham	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1541) entitled "An act to amend chapter 710 of the Laws of 1895, entitled 'An act to establish the office of comptroller in the city of Mount Vernon, providing for the appointment of such officer and defining his rights and duties'" (Int.

No. 869) was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McKeown	Sands
Allds	Cowles	Green	Meister	Sawyer
Apgar	Cross	Greenwood	Meyer	Schmid A F
Axtell	Darrison	Grossman	Miles	Schmid F
Babcock	Davis	Guider	Mohring	Sears
Baker	Dean	Hallock	Murphy	Sharkey
Ball	De Graw	Harburger	O'Connell	Siems
Barrett	Delaney	Hays	O'Connor	Slater
Bashford	Dillon	Heller	Paris	Sloane C A
Baum	Doughty	Henderson	Patton	Smith J E
Bedell	Dutton	Hill	Phillips	Smith J T
Beede	Egan	Hoffman	Pickett	Snyder
Boland	Ellis	Johnson	Poth	Sprague
Brennan E C	Evarts	Juengst	Redington	Streifler
Brennan J F	Fallows	Kane	Riedman	Sullivan T P
Brewster	Fancher	Kelly G T	Rierdon	Sullivan W J
Brown	Farrell	Kelsey	Roberts	Ten Eyck
Bryan	Finn	Kullman	Roche	Torborg
Bulkley	Fish	Lewis M E	Rodenbeck	Trainor
Burnett	Fitzgerald	Lewis T D	Rogers	Tripp
Cain	Fordyce	Litchard	Rowe	Vincent
Clark	Fowler	Maher	Russell	West
Collier	Gale	Mangin	Sabine	Wilson
Collins	Gallagher	Mason	Sage H M	Wingenfeld
Costello	Gardiner	Mazet	Sage S B	Wissel
Cottle	Gleason	McInerney	Sandford	Witter
Cotton	Gould			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1580) entitled "An act to amend chapter 182 of the Laws of 1892, entitled 'An act to incorporate the city of Mount Vernon,' relating to issue of bonds for street paving"

(Int. No. 868), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McMillan	Sandford
Allds	Cross	Grossman	Meister	Sawyer
Apgar	Darrison	Guider	Meyer	Schmid A F
Axtell	Davis	Hallock	Miles	Schmid F
Babcock	Dean	Harburger	Mohring	Schoeneck
Baker	De Graw	Hatch	Murphy	Sears
Ball	Delaney	Heller	O'Connell	Siems
Barrett	Dillon	Henderson	O'Connor	Slater
Bashford	Doughty	Henry	Palmer	Sloane C A
Baum	Dutton	Hill	Patton	Smith J E
Bedell	Egan	Hitchcock	Phillips	Smith J T
Beede	Ellis	Hoffman	Pickett	Sprague
Boland	Evarts	Johnson	Post	Stoneman
Brennan E O	Fancher	Juengst	Poth	Streifler
Brennan J F	Farrell	Kane	Redington	Sullivan T P
Brewster	Finn	Kelley E E	Riedman	Ten Eyck
Brown	Fish	Kelsey	Rierdon	Thorn
Bryan	Fitzgerald	Kullman	Roberts	Torborg
Bulkley	Fordyce	Lewis M E	Roche	Trainor
Cain	Fowler	Lewis T D	Rodenbeck	Tripp
Clark	Gale	Litchard	Rogers	Ware
Collier	Gallagher	Mangin	Rowe	West
Collins	Gardiner	Mason	Russell	Whipple
Costello	Gleason	Mazet	Sabine	Wilson
Cottle	Gould	McEwan	Sage H M	Wingenfeld
Cotton	Graham	McInerney	Sage S B	Wissel
Coughtry	Green	McKeown	Sanders	Witter

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The Senate bill (No. 19, Assembly reprint No. 1534) entitled "An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners

and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths" (Rec. No. 60), was read the third time, having been printed and upon the desks of the members in its final form for at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 60 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Mazet	Sage H M
Allds	Cross	Grossman	McEwan	Sage S B
Apgar	Darrison	Guider	McInerney	Sanders
Axtell	Davis	Hallock	McKeown	Sandford
Babcock	Dean	Harburger	McMillan	Sands
Baker	Delaney	Hatch	Meister	Sawyer
Ball	Dillon	Hays	Miles	Schmid A F
Barrett	Doughty	Heller	Mohring	Schmid F
Bashford	Dutton	Henderson	Murphy	Sears
Baum	Egan	Henry	O'Connell	Sharkey
Bedell	Ellis	Hill	O'Connor	Siems
Beede	Evarts	Hitchcock	Palmer	Slater
Boland	Fallows	Hoffman	Paris	Sloane J J
Brennan E C	Fancher	Hutton	Phillips	Smith J E
Brennan J F	Farrell	Johnson	Pickett	Smith J T
Brewster	Finn	Juengst	Post	Snyder
Brown	Fish	Kane	Poth	Sprague
Brvan	Fitzgerald	Kelley E E	Redington	Stoneman
Bulkley	Fordyce	Kelsey	Riedman	Ten Eyck
Burnett	Fowler	Kullman	Rierdon	Torborg
Cain	Gale	Lewis M E	Roberts	Trainor
Clark	Gallagher	Lewis T D	Roche	Tripp
Collier	Gardiner	Litchard	Rodenbeck	Vincent
Collins	Gleason	Maher	Rogers	West
Costello	Gould	Mangin	Rowe	Wilson
Cottle	Graham	Martin	Russell	Wingenfeld
Cotton	Green	Mason	Sabine	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1588) entitled " An act providing for the examination of applicants for foremen, inspectors and supervisors of public works by the State or any State officer or State department, or by any city, city officer or city department " (Int. No. 850), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1579) entitled " An act to amend section 3256 of the Code of Civil Procedure relating to costs " (Int. No. 776), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meyer	Schmid A F
Allds	Cowles	Guider	Miles	Schmid F
Apgar	Cross	Härburger	Mohring	Schoeneck
Axtell	Darrison	Hatch	Murphy	Sears
Babcock	Davis	Hays	O'Connell	Sharkey
Baker	Dean	Heller	O'Connor	Siems
Ball	De Graw	Hill	Palmer	Slater
Barrett	Delaney	Hitchcock	Paris	Sloane J J
Bashford	Dillon	Hoffman	Patton	Smith J E
Baum	Doughty	Hutton	Phillips	Smith J T
Bedell	Dutton	Johnson	Pickett	Snyder
Beede	Egan	Kane	Post	Stoneman
Boland	Evarts	Kelley E E	Poth	Streifler
Brennan E C	Fallows	Kelly G T	Redington	Sullivan W J
Brennan J F	Fancher	Kelsey	Rierdon	Ten Eyck
Brewster	Farrell	Kullman	Roberts	Thorn
Brown	Finn	Lewis M E	Roche	Torborg
Bryan	Fish	Lewis T D	Rodenbeck	Trainor
Bulkley	Fitzgerald	Litchard	Rogers	Vincent
Burnett	Fordyce	Maher	Rowe	Ware
Cain	Gallagher	Mangin	Russell	West

Clark	Gardiner	Mason	Sabine	Whipple
Collier	Gleason	Mazet	Sage H M	Wilson
Collins	Gould	McEwan	Sage S B	Wingenfeld
Costello	Graham	McInerney	Sanders	Wissel
Cottle	Green	McMillan	Sandford	Witter
Cotton	Greenwood	Meister	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and quest their concurrence therein.

The bill (No. 1587) entitled "An act to amend chapter 317 of the Laws of 1894, entitled 'An act in relation to the public lands, constituting chapter 11 of the general laws'" (Int. No. 1060), having been announced for a third reading.

On motion of Mr. Clark, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1515) entitled "An act to legalize certain acts of the board of supervisors of Monroe county in relation to the publication of their official proceedings" (Int. No. 847), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Sawyer
Allds	Cross	Hallock	Meyer	Schmid A F
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Sharkey
Ball	Dillon	Henderson	O'Connor	Slater
Barrett	Doughty	Henry	Paris	Sloane J J
Bashford	Dutton	Hill	Patton	Smith J E
Raum	Egan	Hitchcock	Pickett	Smith J T
Bedell	Ellis	Hoffman	Post	Snyder
Beede	Evarts	Hutton	Poth	Sprague

Boland	Fallows	Juengst	Redington	Stoneman
Brennan E O	Fancher	Kane	Riedman	Streifler
Brennan J F	Farrell	Kelley E E	Rierdon	Sullivan T P
Brewster	Finn	Kelsey	Roberts	Ten Eyck
Brown	Fish	Kullman	Roche	Thorn
Bryan	Fitzgerald	Lewis M E	Rodenbeck	Torborg
Bulkley	Fowler	Lewis T D	Rogers	Trainor
Burnett	Gale	Litchard	Rowe	Vincent
Cain	Gallagher	Maher	Russell	Ware
Clark	Gardiner	Mangin	Sabine	West
Collier	Gleason	Martin	Sage H M	Whipple
Collins	Gould	Mason	Sage S B	Wilson
Costello	Graham	Mazet	Sanders	Wingenfeld
Cottle	Green	McEwan	Sandford	Wissel
Cotton	Greenwood	McInerney	Sands	Witter
Coughtry	Grossman	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1434) entitled "An act to amend the Labor Law, relating to safety appliances for scaffolding for the use of employes" (Int. No. 669), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 146 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hatch	Meyer	Schmid F
Allds	Dean	Hays	Miles	Schoeneck
Apgar	De Graw	Heller	Mohring	Sears
Axtell	Delaney	Henderson	Murphy	Sharkey
Babcock	Dillon	Henry	O'Connell	Siems
Baker	Dutton	Hill	O'Connor	Slater
Ball	Egan	Hitchcock	Paris	Sloane C A
Barrett	Ellis	Hoffman	Patton	Sloane J J
Bashford	Evarts	Hutton	Phillips	Smith J E
Baum	Fallows	Johnson	Pickett	Smith J T
Bedell	Fancher	Juengst	Post	Snyder

Beede	Farrell	Kane	Poth	Sprague
Boland	Finn	Kelley E E	Redington	Stoneman
Brennan E C	Fish	Kelly G T	Riedman	Streifler
Brennan J F	Fitzgerald	Kelsey	Rierdon	Sullivan T P
Brewster	Fordyce	Kullman	Roberts	Sullivan W J
Brown	Fowler	Lewis M E	Roche	Ten Eyck
Bryan	Gale	Lewis T D	Rodenbeck	Thorn
Bulkley	Gallagher	Litchard	Rogers	Torborg
Cain	Gardiner	Maher	Rowe	Trainor
Clark	Gleason	Mangin	Russell	Tripp
Collier	Gould	Martin	Sabine	Vincent
Collins	Graham	Mason	Sage H M	Ware
Costello	Green	Mazet	Sage S B	West
Cottle	Greenwood	McEwan	Sanders	Whipple
Cotton	Grossman	McInerney	Sandford	Wilson
Coughtry	Guider	McKeown	Sands	Wingenfeld
Cowles	Hallock	McMillan	Sawyer	Wissel
Cross	Harburger	Meister	Schmid A F	Witter
Darrison				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1433) entitled "An act to provide for the payment of the costs and disbursements of city and county employes in maintaining actions against such city or county for compensation" (Int. No. 1052), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 148 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid A F
Allds	Davis	Hatch	Miles	Schmid F
Apgar	Dean	Hays	Mohring	Schoeneck
Axtell	De Graw	Heller	Murphy	Sears
Babcock	Delaney	Henderson	O'Connell	Sharkey
Baker	Dillon	Henry	O'Connor	Siems
Ball	Doughty	Hill	Palmer	Slater

Barrett	Dutton	Hitchcock	Paris	Sloane C A
Bashford	Egan	Hoffman	Patton	Sloane J J
Baum	Ellis	Hutton	Phillips	Smith J T
Bedell	Evarts	Johnson	Pickett	Smith J E
Beede	Fallows	Juengst	Post	Snyder
Boland	Fancher	Kane	Poth	Sprague
Brennan E C	Farrell	Kelley E E	Redington	Stoneman
Brennan J F	Finn	Kelly G T	Riedman	Streifler
Brewster	Fish	Kelsey	Rierdon	Sullivan T P
Brown	Fitzgerald	Kullman	Roberts	Sullivan W J
Bryan	Fordyce	Lewis M E	Roche	Ten Eyck
Bulkley	Fowler	Lewis T D	Rodenbeck	Thorn
Burnett	Gale	Litchard	Rogers	Torborg
Cain	Gallagher	Maher	Rowe	Trainor
Clark	Gardiner	Mangin	Russell	Tripp
Collier	Gleason	Martin	Sabine	Vincent
Collins	Gould	Mason	Sage H M	Ware
Costello	Graham	Mazet	Sage S B	West
Cottle	Green	McEwan	Sanders	Whipple
Cotton	Greenwood	McInerney	Sandford	Wingenfeld
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross	Hallock	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1418) entitled " An act to amend the Public Health Law, in relation to dental degrees " (Int. No. 1151), having been announced for a third reading,

On motion of Mr. Hatch, said bill was laid aside and ordered stricken from the calendar.

Mr. Speaker resumed the chair.

The bill (No. 1308) entitled " An act to correct and straighten the boundary lines of the Eighth and the Thirteenth wards of the city of Utica by annexing parts of the Fifth ward thereto " (Int. No. 1095), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McMillan	Schmid A F
Alds	Cross	Harburger	Meister	Schmid F
Apgar	Darrison	Hatch	Meyer	Schoeneck
Axtell	Davis	Hays	Miles	Sears
Babcock	De Graw	Heller	Mohring	Siems
Baker	Delaney	Henderson	Murphy	Slater
Ball	Dillon	Henry	O'Connell	Sloane C A
Barrett	Doughty	Hitchcock	Palmer	Sloane J J
Bashford	Dutton	Hoffman	Paris	Smith J E
Baum	Egan	Hutton	Patton	Smith J T
Redell	Ellis	Johnson	Phillips	Snyder
Beede	Evarts	Juengst	Pickett	Sprague
Boland	Fallows	Kane	Post	Streifer
Brennan E C	Fancher	Kelley E E	Poth	Sullivan T P
Brennan J F	Farrell	Kelly G T	Redington	Sullivan W J
Brewster	Finn	Kelsey	Riedman	Ten Eyck
Brown	Fish	Kullman	Rierdon	Thorn
Bryan	Fitzgerald	Lewis M E	Roberts	Torborg
Bulkley	Fordyce	Lewis T D	Roche	Trainor
Burnett	Fowler	Litchard	Rodenbeck	Tripp
Cain	Gale	Maher	Rowe	Vincent
Clark	Gallagher	Mangin -	Russell	Ware
Collier	Gardiner	Martin	Sabine	West
Collins	Gleason	Mason	Sage S B	Whipple
Costello	Gould	Mazet	Sanders	Wilson
Cottle	Green	McEwan	Sandford	Wingenfeld
Cotton	Greenwood	McInerney	Sands	Wissel
Coughtry	Grossman	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1240) entitled " An act relating to the employment of women and children at polishing or buffing " (Int. No. 1051), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sands
Allds	Darrison	Hallock	Meyer	Sawyer
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Sharkey
Ball	Dillon	Henry	O'Connor	Siems
Barrett	Doughty	Hill	Palmer	Slater
Bashford	Dutton	Hitchcock	Paris	Sloane C A
Baum	Egan	Hoffman	Patton	Sloane J J
Bedell	Ellis	Hutton	Phillips	Smith J E
Beede	Evarts	Johnson	Pickett	Smith J T
Boland	Fallows	Juengst	Post	Snyder
Brennan E O	Fancher	Kelley E E	Poth	Sprague
Brennan J F	Farrell	Kelly G T	Redington	Streifler
Brewster	Finn	Kelsey	Riedman	Sullivan T P
Brown	Fish	Kullman	Rierdon	Sullivan W J
Bryan	Fitzgerald	Lewis M E	Roberts	Ten Eyck
Bulkley	Fordyce	Lewis T D	Roche	Thorn
Burnett	Fowler	Litchard	Rodenbeck	Torborg
Cain	Gale	Maher	Rogers	Tripp
Clark	Gallagher	Mangin	Rowe	Vincent
Collier	Gardiner	Martin	Russell	Ware
Collins	Gleason	Mason	Sabine	West
Costello	Gould	Mazet	Sage H M	Wilson
Cottle	Graham	McEwan	Sage S B	Wingenfeld
Cotton	Green	McInerney	Sanders	Wissel
Coughtry	Greenwood	McKeown	Sandford	Witter
Cowles	Grossman	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 753) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate notices are to be advertised" (Int. No. 691), having been announced for a third reading,

On motion of Mr. Mazet, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1173) entitled "An act to authorize the city of Cohoes to borrow money by the issue of bonds for the payment of the expenses, audits and charges of the public improvement commission of the city of Cohoes organized and created by chapter 904 of the Laws of 1896 and of the public improvement commission of the city of Cohoes organized and created under chapter 227 of the Laws of 1898" (Int. No. 1004), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sawyer
Allds	Darrison	Hallock	Meyer	Schmid A F
Apgar	Davis	Harburger	Mohring	Schmid F
Axtell	Dean	Hatch	Murphy	Schoeneck
Babcock	De Graw	Hays	O'Connell	Sears
Baker	Delaney	Heller	O'Connor	Sharkey
Ball	Dillon	Henderson	Paris	Siems
Barrett	Doughty	Henry	Patton	Slater
Bashford	Dutton	Hill	Phillips	Sloane C A
Baum	Egan	Hitchcock	Pickett	Sloane J J
Bedell	Evarts	Hoffman	Post	Smith J E
Beede	Fallows	Hutton	Poth	Smith J T
Boland	Fancher	Johnson	Redington	Snyder
Brennan E C	Farrell	Juengst	Riedman	Sprague
Brennan J F	Finn	Kane	Rierdon	Stoneman
Brown	Fish	Kelley E E	Roberts	Streifler
Bryan	Fitzgerald	Kelsey	Roche	Sullivan T P
Bulkley	Fordyce	Kullman	Rodenbeck	Ten Eyck
Burnett	Fowler	Lewis M E	Rogers	Torborg
Cain	Gale	Lewis T D	Rowe	Trainor

Clark	Gallagher	Litchard	Russell	Tripp
Collier	Gardiner	Mangin	Sabine	Vincent
Collins	Gleason	Martin	Sage H M	West
Costello	Gould	Mason	Sage S B	Whipple
Cottle	Graham	Mazet	Sanders	Wingenfeld
Cotton	Green	McEwan	Sandford	Wilson
Coughtry	Greenwood	McKeown	Sands	Wissel
Cowles	Grossman	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 848) entitled "An act for the protection of public health, and to prevent mistakes in the handling of poison" (Rec. No. 164), having been announced for a third reading,

Mr. Fordyce moved that said bill be recommitted to the committee on public health; with instructions to report the same forthwith amended as follows:

Page 1, line 7, insert the word "or" after the word "drug," and omit the words "ingredient or substance."

Page 2, line 1, insert the word "or" after the word "drug" and omit "ingredient or substance."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fordyce, from the committee on public health, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 683) entitled "An act to amend section 18 of chapter 18 of the general laws known as the 'County Law,' with respect to the printing and distribution of proceedings of boards of supervisors" (Rec. No. 114), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Meister	Sawyer
Allds	Cross	Guider	Meyer	Schmid A F
Apgar	Darrison	Hallock	Miles	Schmid F
Axtell	Davis	Harburger	Murphy	Schoeneck
Babcock	Dean	Hatch	O'Connor	Sears
Baker	De Graw	Hays	Palmer	Siems
Ball	Delaney	Heller	Paris	Slater
Barrett	Dillon	Henderson	Patton	Sloane C A
Bashford	Doughty	Hill	Phillips	Sloane J J
Baum	Dutton	Hitchcock	Pickett	Smith J E
Bedell	Egan	Hutton	Post	Smith J T
Beede	Ellis	Johnson	Poth	Sprague
Boland	Evarts	Kane	Redington	Stoneman
Brennan E C	Fallows	Kelly G T	Riedman	Sullivan T P
Brennan J F	Fancher	Kelsey	Rierdon	Sullivan W J
Brewster	Farrell	Kullman	Roberts	Thorn
Brown	Finn	Lewis M E	Roche	Torborg
Bryan	Fitzgerald	Lewis T D	Rodenbeck	Trainor
Bulkley	Fordyce	Litchard	Rogers	Tripp
Burnett	Fowler	Maher	Rowe	Vincent
Cain	Gale	Mangin	Sabine	Ware
Clark	Gallagher	Martin	Sage H M	West
Collier	Gardiner	Mason	Sage S B	Wilson
Collins	Gleason	Mazet	Sanders	Wingenfeld
Cottle	Gould	McEwan	Sandford	Wissel
Cotton	Green	McInerney	Sands	Witter
Coughtry	Greenwood	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 438), entitled "An act to collect and preserve from loss or injury, any and all wampums which the Onondaga nation of Indians, or its wampum-keeper, or any of the Ho-de-no-sau-nee, otherwise known as the Five Nations, or the Six Nations, or the Iroquois, is entitled to possess" (Rec. No. 41), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McMillan	Sawyer
Allds	Cross	Guider	Meister	Schmid A F
Apgar	Darrison	Hallock	Meyer	Schmid F
Axtell	Davis	Harburger	Miles	Schoeneck
Babcock	Dean	Hatch	Murphy	Sears
Baker	De Graw	Hays	O'Connell	Sharkey
Ball	Delaney	Heller	O'Connor	Siems
Barrett	Dillon	Henderson	Palmer	Slater
Bashford	Doughty	Henry	Paris	Sloane J J
Baum	Dutton	Hill	Patton	Smith J E
Bedell	Egan	Hitchcock	Phillips	Smith J T
Beede	Ellis	Hutton	Pickett	Snyder
Boland	Evarts	Johnson	Post	Sprague
Brennan E	O'Fallows	Juengst	Poth	Stoneman
Brennan J F	Fancher	Kane	Redington	Streifler
Brewster	Farrell	Kelley E E	Riedman	Sullivan T P
Brown	Finn	Kelsey	Rierdon	Sullivan W J
Bryan	Fish	Kullman	Roberts	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roche	Thorn
Burnett	Fordyce	Lewis T D	Rodenbeck	Torborg
Cain	Fowler	Litchard	Rogers	Trainor
Clark	Gale	Maher	Russell	Tripp
Collier	Gallagher	Mangin	Sabine	Ware
Collins	Gardiner	Martin	Sage H M	West
Costello	Gleason	Mason	Sage S B	Whipple
Cottle	Gould	Mazet	Sanders	Wilson
Cotton	Graham	McInerney	Sandford	Wingenfeld
Coughtry	Greenwood	McKeown	Sands	Wissel

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 445) entitled "An act to amend section 66, relating to separate boards of commissioners, section 200, relating to general powers of the board of fire commissioners, and section 205, relating to nomination of officers of the fire department, of chapter 414 of the Laws of 1897, entitled 'An act in relation to

villages, constituting chapter 21 of the general laws' ” (Rec. No. 73), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	Mazet	Sanders
Allds	Cowles	Greenwood	McEwan	Sandford
Apgar	Cross	Grossman	McInerney	Sands
Axtell	Darrison	Guider	McMillan	Schmid A F
Babcock	Davis	Harburger	Meyer	Schmid F
Baker	Dean	Hatch	Miles	Schoeneck
Ball	De Graw	Hays	Mohring	Sears
Barrett	Delaney	Heller	Murphy	Siems
Bashford	Dillon	Henderson	O'Connell	Slater
Baum	Doughty	Henry	Palmer	Sloane C A
Bedell	Dutton	Hill	Paris	Sloane J J
Beede	Egan	Hitchcock	Phillips	Smith J T
Boland	Ellis	Hoffman	Pickett	Snyder
Brennan E	OEvarts	Hutton	Post	Stoneman
Brennan J	FFallows	Johnson	Poth	Streifler
Brewster	Fancher	Juengst	Redington	Sullivan T P
Brown	Farrell	Kelley E E	Riedman	Ten Eyck
Bryan	Finn	Kelly G T	Rierdon	Thorn
Bulkley	Fitzgerald	Kelsey	Roberts	Trainer
Burnett	Fordyce	Kullman	Roche	Tripp
Cain	Fowler	Lewis M E	Rodenbeck	Vincent
Clark	Gale	Lewis T D	Rogers	Ware
Collier	Gallagher	Litchard	Rowe	West
Collins	Gardiner	Maher	Russell	Whipple
Costello	Gleason	Mangin	Sabine	Wilson
Cottle	Gould	Martin	Sage H M	Wingenfeld
Cotton	Graham	Mason	Sage S B	Wissel

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 726) entitled "An act to amend section 150 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the appointment of deputy comptrollers in the department of finance of the city of New York" (Rec. No. 153), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Sandford
Allds	Cross	Grossman	McMillan	Sawyer
Apgar	Darrison	Guider	Meister	Schmid A F
Axtell	Davis	Hallock	Meyer	Schoeneck
Babcock	Dean	Harburger	Miles	Sears
Baker	De Graw	Hatch	Mohring	Siems
Ball	Delaney	Heller	Murphy	Sloane C A
Barrett	Dillon	Henderson	O'Connell	Sloane J J
Bashford	Doughty	Henry	Palmer	Smith J T
Baum	Dutton	Hitchcock	Paris	Snyder
Bedell	Egan	Hutton	Patton	Sprague
Beede	Ellis	Johnson	Phillips	Stoneman
Boland	Evarts	Juengst	Pickett	Streifler
Brennan E C	Fallows	Kane	Post	Sullivan T P
Brennan J F	Fancher	Kelley E E	Poth	Sullivan W J
Brewster	Farrell	Kelly G T	Redington	Ten Eyck
Brown	Finn	Kelsey	Riedman	Thorn
Bryan	Fish	Kullman	Rierdon	Trainor
Bulkley	Fitzgerald	Lewis M E	Roberts	Tripp
Burnett	Fordyce	Lewis T D	Roche	Vincent
Cain	Fowler	Litchard	Rodenbeck	Ware

Clark	Gale	Maher	Rogers	West
Collier	Gallagher	Mangin	Rowe	Whipple
Collins	Gardiner	Martin	Russell	Wilson
Costello	Gleason	Mason	Sabine	Wingenfeld
Cottle	Gould	Mazet	Sage H M	Wissel
Cotton	Graham	McEwan	Sage S B	Witter
Coughtry	Green	McInerney	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 936) entitled "An act in relation to the Pelham road in the villages of Pelham Manor and New Rochelle, county of Westchester, State of New York" (Int. No. 830), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading.

On motion of Mr. Henderson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	McInerney	Sawyer
Allds	Coughtry	Gould	McMillan	Schmid A P
Apgar	Cowles	Graham	Meister	Schmid F
Axtell	Cross	Greenwood	Meyer	Schoeneck
Babcock	Darrison	Grossman	Mohring	Sears
Baker	Davis	Hallock	Murphy	Sharkey
Ball	Dean	Hatch	O'Connell	Slater
Barrett	De Graw	Heller	O'Connor	Sloane J J
Bashford	Delaney	Henderson	Paris	Smith J E
Baum	Dillon	Henry	Patton	Smith J T
Bedell	Doughty	Hill	Phillips	Snyder
Beede	Dutton	Hoffman	Post	Sprague

Boland	Egan	Hutton	Poth	Stoneman
Brennan E	Cellis	Johnson	Redington	Streifler
Brennan J F	Evarts	Kane	Riedman	Sullivan T P
Brewster	Fallows	Kelley E E	Roberts	Ten Eyck
Brown	Fancher	Kelly G T	Roche	Thorn
Bryan	Farrell	Kelsey	Rodenbeck	Torborg
Bulkley	Finn	Kullman	Rogers	Tripp
Burnett	Fish	Lewis M E	Rowe	Vincent
Cain	Fitzgerald	Lewis T D	Russell	Ware
Clark	Fordyce	Litchard	Sabine	Whipple
Collier	Fowler	Maher	Sage H M	Wilson
Collins	Gale	Martin	Sanders	Wingenfeld
Costello	Gallagher	Mazet	Sandford	Witter
Cottle	Gardiner	McEwan	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 178) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the amount of the claim of Andrew W. Morhouse against the State, and to make an award therefor" (Int. No. 178), was read the second time.

On motion of Mr. Pickett, said bill was placed on the order of third reading.

On motion of Mr. Pickett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sawyer
Allds	Cross	Grossman	McKeown	Schmid A F
Apgar	Darrison	Guider	Meister	Schoeneck
Axtell	Davis	Hallock	Meyer	Sears
Babcock	Dean	Harburger	Miles	Siems
Baker	De Graw	Hatch	Mohring	Sloane C A
Ball	Delaney	Heller	Murphy	Sloane J J

Barrett	Doughty	Henderson	O'Connell	Smith J E
Bashford	Dutton	Hill	O'Connor	Smith J T
Bedell	Egan	Hitchcock	Paris	Sprague
Beede	Ellis	Hoffman	Patton	Stoneman
Boland	Evarts	Hutton	Phillips	Streifler
Brennan E C	Fallows	Johnson	Post	Sullivan W J
Brennan J F	Fancher	Juengst	Poth	Ten Eyck
Brewster	Finn	Kelley E E	Redington	Torborg
Brown	Fish	Kelsey	Riedman	Trainor
Bulkley	Fitzgerald	Kullman	Roberts	Tripp
Burnett	Fordyce	Lewis M E	Roche	Vincent
Cain	Fowler	Lewis T D	Rogers	Ware
Clark	Gale	Litchard	Rowe	West
Collier	Gallagher	Maher	Sabine	Whipple
Collins	Gardiner	Mangin	Sage S B	Wilson
Cottle	Gleason	Mason	Sanders	Wingenfeld
Cotton	Gould	Mazet	Sandford	Wissel
Coughtry	Graham	McEwan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 190) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Rec. No. 80), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading.

On motion of Mr. Trainor, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	McMillan	Sands
Allds	Dean	Hatch	Meister	Sawyer
Apgar	De Graw	Hays	Meyer	Schmid A F
Axtell	Delaney	Heller	Miles	Schoeneck

Babcock	Dillon	Henderson	Mohring	Sears
Baker	Doughty	Henry	Murphy	Sharkey
Ball	Dutton	Hill	O'Connell	Siems
Barrett	Egan	Hitchcock	O'Connor	Sloane C A
Bashford	Evarts	Hoffman	Palmer	Sloane J J
Baum	Fallows	Hutton	Paris	Smith J E
Bedell	Fancher	Juengst	Patton	Snyder
Beede	Farrell	Kane	Pickett	Sprague
Boland	Finn	Kelley E E	Post	Stoneman
Brennan E C	Fish	Kelly G T	Poth	Streifer
Brennan J F	Fitzgerald	Kelsey	Redington	Sullivan T P
Brown	Fordyce	Kullman	Riedman	Ten Eyck
Bryan	Fowler	Lewis M E	Rierdon	Thorn
Burnett .	Gale	Lewis T D	Roberts	Torborg
Cain	Gardiner	Litchard	Roche	Trainor
Clark	Gleason	Maher	Rodenbeck	Vincent
Collier	Gould	Mangin	Rogers	Ware
Collins	Graham	Martin	Rowe	Whipple
Costello	Green	Mason	Sabine	Wilson
Cottle	Greenwood	Mazet	Sage H M	Wingenfeld
Cotton	Grossman	McEwan	Sage S B	Wissel
Coughtry	Guider	McKeown	Sanders	Witter
Cross	Hallock			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Pursuant to notice, Mr. Farrell called up the bill (No. 1227) entitled "An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York" (Int. No. 592), heretofore laid aside on the order of third reading.

Debate was had thereon, when

Mr. McKeown moved the previous question.

Mr. Collins raised the point of order that under the rules there must be a debate of at least one hour on the third reading of a bill.

Mr. Speaker decided the point of order not well taken.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 57 }
 { NOES 21 }

Those who voted in the affirmative, were

Allds	Farrell	Lewis T D	Rogers	Sprague
Axtell	Fordyce	Martin	Rowe	Ten Eyck
Babcock	Gale	Mazet	Russell	Thorn
Beede	Gallagher	McEwan	Sandford	Tripp
Brennan E C	Gould	McInerney	Sands	Vincent
Bryan	Graham	McKeown	Schmid A F	West
Burnett	Greenwood	McMillan	Sears	Whipple
Costello	Hallock	Paris	Siems	Wilson
Cotton	Hatch	Patton	Slater	Wingenfeld
Darrison	Hitchcock	Redington	Smith J T	Wissel
De Graw	Hutton	Roberts	Snyder	Witter
Evarts	Kelsey			

Those who voted in the negative, were

Adler	Finn	Meister	Poth	Sloane J J
Brennan J F	Fitzgerald	Meyer	Rierdon	Smith J E
Collins	Harburger	O'Connor	Sanders	Torborg
Dillon	Heller	Phillips	Sharkey	Trainor
Doughty				

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
 { NOES 30 }

Those who voted in the affirmative, were

Babcock	Dean	Hatch	McMillan	Sears
Baker	De Graw	Hays	Palmer	Siems
Ball	Dutton	Henry	Paris	Slater
Barrett	Ellis	Hill	Patton	Snyder
Bedell	Evarts	Hitchcock	Roberts	Sprague
Beede	Farrell	Hutton	Rodenbeck	Stoneman
Brennan E C	Fordyce	Kane	Rogers	Ten Eyck
Bryan	Fowler	Kelsey	Rowe	Thorn
Burnett	Gale	Lewis M E	Russell	Tripp

Cain	Gallagher	Lewis T D	Sabine	Vincent
Clark	Gleason	Martin	Sage H M	West
Costello	Gould	Mason	Siems	Wilson
Cottle	Graham	Mazet	Schmid A F	Wingenfeld
Cotton	Greenwood	McEwan	Schmid F	Wissel
Cross	Guider	McInerney	Schoeneck	Witter
Darrison	Hallock	McKeown		

Those who voted in the negative, were

Baum	Doughty	Harburger	O'Connor	Sanders
Brennan J F	Fallows	Kelly G T	Phillips	Sharkey
Brewster	Finn	Maher	Post	Sloane J J
Collins	Fitzgerald	Mangin	Poth	Smith J E
Davis	Gardiner	Meister	Rierdon	Torborg
Dillon	Grossman	Meyer	Roche	Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to notice Mr. Coughtry called up the bill (No. 1260) entitled "An act to amend chapter 285 of the Laws of 1880, entitled 'An act to provide for repairing or rebuilding and enlarging the city hall of the city of Albany, for the use of said city and the use of the county of Albany, and to provide means for the payment therefor'" (Int. No. 862), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Coughtry, and by unanimous consent, said bill was made a special order on third reading for Tuesday next at 12 o'clock noon.

Pursuant to notice, Mr. Brewster called up the bill (No. 1267) entitled "An act to annex certain portions of the town of Lansingburgh, in the county of Rensselaer, to the towns of Brunswick and Schaghticoke, respectively" (Int. No. 450), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

Mr. Brewster moved to amend said bill as follows:

Page 2, lines 20 to 26, strike out all after the word "Lansingburgh" and substitute therefor the words "and which will intersect the junction of the west line of the Hudson River turnpike and the east line of the highway leading to the village of Lansingburgh and running along and east of the lands known

as 'Lansing's grove;' thence westerly along said parallel line, drawn as aforesaid, to the intersecting point in said junction; thence southerly along the east line of said highway to the north line of the present village of Lansingburgh; thence westerly along said north line to the west boundary line of Rensselaer county; thence northerly along said west boundary line to the place of beginning."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Brewster, and it was determined in the affirmative.

Said bill as amended was then read the second time, and on motion of Mr. Brewster was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

By unanimous consent, Mr. Sabine called up Senate bill No. 622, entitled "An act to authorize the city of Syracuse to borrow money by the issue of bonds, to provide for their redemption, and to provide for the acquiring of title to the necessary land for a site for, and the erection of, a new high school building in said city" (Rec. No. 105), now on the order of third reading.

Said bill having been announced for a third reading,

Mr. Sabine moved that said bill be recommitted to the committee on affairs of cities with instructions to report the same forthwith amended as follows:

Page 1, line 1, strike out the words "Daniel Chrichton" and insert the words "Donald Dey."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mazet, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Fallows offered for the consideration of the House a resolution, in the words following:

Resolved, That 3,000 extra copies of the final report of the special committee of the Assembly to investigate the Surrogate's Court and office of the county of New York together with the papers and exhibits accompanying the same be printed for the use of the Assembly.

Said resolution was referred to the committee on public printing.

Mr. Allds, from the committee on ways and means, reported by bill entitled "An act making appropriations for certain expenses of government and supplying deficiencies in former appropriations" and request that said bill be printed and recommitted to said bill (Int. No. 1327).

Which report was agreed to, and said bill read the first time, ordered printed and recommitted to said committee.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Henry, Int. No. 953, entitled "An act to establish a State School of Public Health and making an appropriation therefor" (No. 1104), reported in favor of the passage of the same, with the following amendment:

Line 17, after the word "section" change period to semicolon, and immediately thereafter insert the following: "and said agreement shall also contain the further condition binding the New York University and the school hereby established to provide a course of instruction open, free of expense, to any duly accredited medical member of a town, village or city board of health in public sanitation in all its branches, including a bacteriological laboratory course for the prevention and cure of diseases by scientific investigation, and to make, free of expense, laboratory researches and investigations regarding the adulteration of food, to make proper analysis to determine the purity of water supplies and the purity of milk and dairy products upon the application of the commissioner of agriculture or the state board of health; and to make, free of expense, laboratory examinations to determine the question of a possible infectious disease upon the application of any board of health;"

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 130, entitled "An act to provide for enforcing the provisions of chapter 479 of the Laws of 1887, as amended by chapter 197 of the Laws of 1894, and chapter 570 of the Laws of 1895, and all acts

amendatory thereof or supplemental thereto, and making an appropriation therefor" (No. 751), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Costello, Int. No. 1089, entitled "An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings" (No. 1302), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was recommended the bill introduced by Mr. Hill, Int. No. 303, entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, and 2627 of the Code of Civil Procedure, relating to revocation of probate" (No. 766), reported in favor of the passage of the same, with the following amendment:

Page 2, line 11, after the word "annexed" insert a semicolon instead of a comma.

Same page, line 15, after the word "appointed" insert a semicolon.

Page 2, line 16, strike out the word "the" before the word "purpose" and substitute the word "that."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Redington, Int. No. 969, entitled "An act to amend section 3256 of the Code of Civil Procedure, relating to disbursements to be included in bill of costs" (No. 1133), reported in favor of the passage of the same, with the following amendment:

Page 2, lines 3 and 4, underscore the following words "if said court, judge or referee, shall certify to the necessity of such disbursements."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

On motion of Mr. G. T. Kelly, said bill was recommitted to the committee on codes, retaining its place on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Rogers, Int. No. 1197, entitled "An act to amend the Code of Civil Procedure, in relation to the suspension or removal of attorneys" (No. 1491), reported in favor of the passage of the same, with the following amendment:

Page 1, line 10, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Cottle, Int. No. 1088, entitled "An act to amend the Town Law, in relation to voting and borrowing money for the purchase of a site and the erection of a town house" (No. 1301), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Sears, Int. No. 1063, entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (No. 1252), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Stoneman, Int. No. 956, entitled "An act to amend the Membership Corporation Law, in relation to the erection of soldiers' monuments" (No. 1107), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Mazet, Int. No. 686, entitled "An act to amend article 5 of the Executive Law, relating to the Attorney-General" (No. 711), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Rogers, Int. No. 973, entitled "An act to amend an act entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' relating to revision and readjustment of accounts by comptroller" (No. 1137), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Adler, Int. No. 903, entitled "An act to amend the County Law, as amended by chapters 150 and 718 of the Laws of 1895, relating to sheriffs' office; time of keeping open" (No. 1036), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Maher, Int. No. 42, entitled "An act to compel all subway companies to place on all man-hole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes" (No. 42), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Henderson, Int. No. 1204, entitled "An act to amend chapter 481 of the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers"

(No. 1498), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Darrison, Int. No. 1154, entitled "An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relating to ineligibility of county treasurers" (No. 1421), reported in favor of the passage of the same, with the following amendments:

Amend the title to read as follows: "An act to amend chapter six hundred and eighty-six of the laws of eighteen hundred and ninety-two, entitled 'An act in relation to counties, constituting chapter eighteen of the general laws,' relating to the ineligibility of county treasurers in the county of Niagara."

Page 2, line 4, after the word "and" insert the words "such treasurer in the county of Niagara shall."

Same page, line 12, after the word "and" and before the word "be" insert the words "in the county of Niagara shall."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Guider, Int. No. 244, entitled "An act in relation to the construction and alteration of elevators and elevator shafts and stairways in hotels and other buildings of three stories in height or over" (No. 244), reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, strike out the words "or other building."

Same page, line 6, strike out the word "ground" and insert in place thereof the word "cellar."

Page 2, line 5, after the word "thickness" strike out balance of the line.

Same page, strike out lines 6 and 7.

Same page, line 21, strike out the words "and stairways."

Same page, line 24, strike out the words "and stairways."

Page 3, line 3, strike out the words "and stairways."

Same page, line 4, strike out the word "building" and insert in place thereof the word "hotel."

Same page, line 5, strike out the words "or stairway around the same."

Same page, line 6, strike out the word "building" and insert in place thereof the word "hotel."

Change the title to read as follows: "An act in relation to the construction and alteration of elevators and elevator shafts in hotels of three stories in height or over."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Miles, Int. No. 175, entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest" (No. 1319), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Rodenbeck, Int. No. 467, entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and constituting chapter 24 of the general laws,' relating to the taxation of municipal property" (No. 1314), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Gould, Int. No. 434, entitled "An act to make the office of county clerk of the county of Seneca a salaried office, and to provide for the conduct of said office" (No. 1324), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

Page 2, line 8, after the word "five" and before the word "dollars" insert the word "hundred."

ROBERT J. FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 143, entitled "An act to amend the Town Law, relative to change by towns of the time of holding town meetings" (No. 172), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 144, entitled "An act to amend the Town Law in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898" (No. 691), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 129, entitled "An act to amend section 31 of chapter 686 of the Laws of 1892, known as the County Law, relative to location of county buildings" (No. 508), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Plunkitt, Rec. No. 70, entitled "An act to amend chapter 547 of the Laws of 1896, entitled 'An act relating to real property constituting chapter 46 of the general laws'" (No. 379), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Ramsperger, Rec. No.

148, entitled "An act to amend section 88 of chapter 908 of the Laws of 1896, known as the Tax Law relating to collectors' bonds" (No. 693), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. Collier, Int. No. 879, entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations,' and providing for the formation, management and supervision of co-operative savings and loan associations, as amended by chapter 705 of the Laws of 1894" (No. 998), reported in favor of the passage of the same, with the following amendments:

Page 2, line 15, after the word "publish" insert the words "in counties of one million population or over in one issue of three separate daily papers and in counties of less than one million and over five hundred thousand population in one issue of two separate daily papers and in counties of less than five hundred thousand population."

JAMES B. McEWAN,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Apgar, Int. No. 1244, entitled "An act to amend the Railroad Law, relative to when conductors and brakemen may be policemen" (No. 1531), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on revision.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Coughtry, Int. No. 1023, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry S. Dermott, as sole surviving executor of the last will and testament of Stephen C.

Dermott, deceased, against the State for damages alleged to have been sustained by the said Stephen C. Dermott, deceased, and to render judgment therefor " (No. 1206), reported in favor of the passage of the same, with the following amendments:

Page 2, line 15, after the word " said " insert the word " alleged " and strike out the words " and directed."

Same page, line 16, after the word " said " insert the word " alleged."

Same page, line 19, strike out the word "actually."

Same page, line 21, after the words " of the " insert the word " alleged."

Same page, line 22, after the words " and the " insert the word " alleged."

Same page, line 25, strike out the words " and directed."

Page 3, line 2, strike out the word " shall " and insert the word " may."

JOHN E. MASON,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Kullman, Int. No. 448, entitled "An act to amend chapter 974 of the Laws of 1895, entitled 'An act relating to game, fish and wild animals and to the forest preserve and Adirondack park, constituting chapter 31 of the general laws and to be known as the Fisheries, Game and Forest Law,' as further amended by chapter 139 of the Laws of 1898 " (No. 468), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Fordyce, Int. No. 732, entitled " An act to amend the Fisheries, Game and Forest Law in relation to the manner of killing web-footed wild fowl, on Cayuga lake " (No. 797), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. E. E. Kelley, Int. No. 1158,

entitled "An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer" (No. 1425), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Cowles, Int. No. 1207, entitled "An act amending the Fisheries, Game and Forest Law, in relation to certain fish that may be caught in lakes and waters named" (No. 1501), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 3, after the word "caught" insert the words "through the ice."

Same page, same line, after the word "in" insert the words "lakes and."

Same page, line 7, after the word "Sullivan" insert the words "or Rockland."

Same page, line 8, strike out the word "book."

Same page, line 14, after the word "by" insert the word "the."

Same page, line 16, strike out the word "and."

Same page, line 20, strike out the word "except."

Same page, line 21, strike out the word "brook-trout."

Same page, same line, between the word "county" and the word "and" insert the words "not inhabited by brook trout."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading and referred to the committee on revision.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Axtell, Int. No. 1173, entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof relative to fishing in Lake Ontario in Oswego county" (No. 1443), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Axtell, from the committee on fisheries and game, to which was recommitted the bill introduced by Mr. Doughty, Int. No. 241, entitled "An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shellfish cultivation in Long Island Sound in Queens and Nassau counties" (No. 1521), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, after the word "Queens" insert the word "and."

Same page, same line, strike out the words "and Suffolk county."

Same page, line 5, strike out the word "five" and insert the word "fifty."

Same page, line 8, strike out the word "Suffolk."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading and referred to the committee on revision.

Mr. Axtell, from the committee on fisheries and game, to which was referred the Senate bill introduced by Mr. D. F. Davis, Rec. No. 101, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to hares and rabbits" (No. 530), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Litchard, from the committee on agriculture, to which was referred the bill introduced by Mr. Witter, Int. No. 1206, entitled "An act to amend the Agricultural Law regulating the sale and analysis of concentrated feeding stuffs" (No. 1500), reported in favor of the passage of the same, with the following amendments:

Page 3, line 9, after the word "shall" strike out the words "affix to" and insert the words "furnish with."

Same page, same line, after the word "and" insert the words "shall affix."

Same page, line 10, after the word "stuff" strike out comma.

Page 4, line 21, after the word "tens" insert the following: "Whenever a manufacturer, importer, agent or seller of concen-

trated commercial feeding stuffs desires at any time to sell such material and has not paid the license fee therefor in the preceding month of December, as required by this section he shall pay the license fee prescribed herein before making any such sale.

ALMANZO W. LITCHARD,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. E. C. Brennan, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Dougherty, Int. No. 1044, entitled "An act to amend chapter 469 of the Laws of 1898, entitled 'An act to protect navigation in certain tide waters within the State of New York,'" (No. 1233), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. E. C. Brennan, from the committee on commerce and navigation, to which was recommitted the bill introduced by Mr. E. C. Brennan, Int. No. 1041, entitled "An act to provide for a system of public docks and terminals in the State of New York, and to provide for a commission to superintend the construction and maintenance of the same" (No. 1513), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same, without recommendations:

"An act to amend the Railroad Law, and to provide for the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State." (No. 1600, Int. No. 182.)

"An act to amend the Village Law, in relation to the power of trustees to prescribe the width of tires on vehicles." (No. 1148, Int. No. 984.)

"An act to legalize the official acts of John H. Mattice as justice of the peace of the town of Broome, Schoharie county." (No. 1436, Int. No. 1165.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1356), entitled "An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals" (Int. No. 369), reported the same with the following recommendation:

Page 1, line 8, after the word "county" insert a period and strike out the comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1599), entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws,' and the several acts amendatory thereof and supplemental thereto" (Int. No. 1166), reported the same with the following recommendation:

Page 2, line 9, strike out the word "labelled" and insert the word "labeled."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1525), entitled "An act to amend section 1990 of the Code of Civil Procedure" (Int. No. 548), reported the same with the following recommendations:

Page 3, line 5, strike out the words "of this act" and insert the words "of the code of civil procedure."

Also amend the title to read as follows:

"An act to amend section nineteen hundred and ninety of the code of civil procedure relative to orders of arrest and warrants of attachment."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1543), entitled "An act to amend subdivision 4 of section 1352, sections 1361, 1369, 1371 and 1373 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the municipal courts in the borough of Brooklyn " (Int. No. 273), reported the same with the following recommendations:

Page 1, line 4, after the word "ninety-seven" insert the following: "entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof.'"

Page 2, lines 19 and 20, strike out the following wordse: "contained within the said title and chapter."

Page 3, lines 16 and 17, strike out the following words: "embraced within said title and chapter."

Same page, line 26, strike out the word "dispositions" and insert the word "depositions."

Page 4, line 12, after the words "New York" insert a comma.

Same page, line 13, after the word "Manhattan" insert a comma.

Page 5, lines 9 and 10, strike out the words "embraced within said title and chapter."

Page 6, line 2, after the word "the" insert the words "said board of." Same line, strike out the word "justice" and insert the word "justices."

Same page, lines 4 and 5, strike out the words "embraced within said title and chapter."

Same page, line 9, after the word "Brooklyn" insert a comma.

Same page, line 18, after the word "district" insert a comma.

Same page, line 17, after the word "instance" insert a comma.

Same page, line 18, after the word "elected" insert a comma.

Same page, line 25, before the word "payment" strike out the word "the" and insert the word "and."

Page 7, line 1, after the word "clerk" insert a comma.

Page 7, line 14, after the word "business" insert a comma. Also amend the title so as to read as follows:

"An act to amend the Greater New York Charter, in relation to the municipal courts in the borough of Brooklyn."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on printed and engrossed bills, reported as correctly printed and engrossed the bills entitled as follows:

"An act to amend the Fisheries, Game and Forest Law in relation to deer and venison on Long Island." (No. 1518, Int. No. 604.)

"An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-sixth ward of the late city of Brooklyn." (No. 1542, Int. No. 194.)

"An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow, the claim of William F. S. Hart, as assignee of George S. Chapman, for expenses and disbursements incurred by George S. Chapman as a police captain in the city of New York during the months of December, 1896, and January, 1897." (No. 1545, Int. No. 505.)

"An act in relation to the heating of railroad cars in cities having a population of 200,000 or over." (No. 1522, Int. No. 21.)

"An act to amend section 4, article 1, chapter 592, Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws.'" (No. 1514, Int. No. 1011.)

"An act granting additional powers to The Depew and Lancaster Light, Power and Conduit Company." (No. 1467, Int. No. 216.)

"An act to establish an inferior local court of civil and criminal jurisdiction in the city of Binghamton, to be called the 'city court of Binghamton.'" (No. 1548, Int. No. 957.)

"An act to amend the Village Law, in relation to the power of trustees to prescribe the width of tires on vehicles." (No. 1148, Int. No. 984.)

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the construction of sewers in the borough of Brooklyn and providing for the payment of the cost thereof by local assessment." (No. 1460, Int. No. 1024.)

"An act to provide for the disposition of the property and the apportionment of the debts of the former town of Watervliet among the municipalities created out of said town." (No. 1221, Int. No. 1038.)

"An act to further amend section 184 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' with relation to the commissioners of police." (No. 1471, Int. No. 746.)

"An act to provide for the better administration of justice in the town of Green Island, county of Albany." (No. 1287, Int. No. 1074.)

"An act authorizing the credit and allowance of the claim of Michael Sheehan, against the city of New York, for his reasonable costs, counsel fees, and expenses paid, in successfully defending himself against certain charges of which he was tried before the police commissioners of the city of New York." (No. 1549, Int. No. 1037.)

"An act to amend the Lien Law, relating to the creation and enforcement of garment worker's liens." (No. 1394, Int. No. 1137.)

"An act to amend the Code of Civil Procedure, in relation to service of proceed by publication." (No. 1524, Int. No. 162.)

"An act to amend the Railroad Law, and to provide for the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State." (No. 1600, Int. No. 182.)

"An act to legalize the official acts of John H. Mattice as jus-

tice of the peace of the town of Broome, Schoharie county." (No. 1436, Int. No. 1165.)

"An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals." (No. 1356, Int. No. 369.)

"An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws,' and the several acts amendatory thereof and supplemental thereto." (No. 1599, Int. No. 1166.)

The committee on rules offered for the consideration of the House, a resolution in the words following:

Resolved, That hereafter all speeches will be limited to ten minutes, and no member shall speak more than once on the same subject.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Finn gave notice that on March 17, he would call up Senate bill (No. 68), entitled "An act to ratify the opening of Wadsworth avenue, from Kingsbridge road, near One Hundred and Seventy-third street, to Eleventh avenue, in the Twelfth ward of the city of New York, borough of Manhattan, and to provide for the cancellation and refunding a part of the assessment for acquiring title thereto" (Int. No. 68), the same having been laid aside on the order of second reading.

Mr. Rogers gave notice that on March 17, he would call up the bill (No. 997), entitled "An act to amend the Real Property Law, in relation to indexes in county clerks' offices" (Int. No. 878), the same having been laid aside on the order of third reading.

Leave of absence was granted to Messrs. Hoffman and T. P. Sullivan, until Monday evening.

The privileges of the floor were granted to a delegation from the board of aldermen of the city of New York.

By unanimous consent, Mr. Slater introduced a concurrent resolution proposing an amendment to section 2 of article 6 of the Constitution (Int. No. 1328), which was read the first time, and referred to the committee on the judiciary.

By unanimous consent, Mr. Phillips introduced a bill entitled "An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against John Fitzgibbons, a policeman of the first grade, for reinstatement, in said department" (Int. No. 1332), which was read the first time, and referred to the committee on affairs of cities.

By unanimous consent, Mr. Patton introduced a bill entitled "An act to amend chapter 679 of the Laws of 1892, entitled 'An act in relation to Indians, constituting chapter 5 of the general laws, relative to trees and timber on reservations'" (Int. No. 1336), which was read the first time, and referred to the committee on Indian affairs.

By unanimous consent, Mr. Bryan introduced a bill entitled "An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (Int. No. 1333), which was read the first time, and referred to the committee on general laws.

By unaniomus consent, Mr. Rowe introduced a bill entitled "An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county" (Int. No. 1330), which was read the first time, and referred to the committee on internal affairs.

By unanimous consent, Mr. Delaney introduced a bill entitled "An act to amend the Labor Law, relating to the rate of wages to be paid to unskilled laborers on public works" (Int. No. 1329), which was read the first time, and referred to the committee on labor and industry.

By unanimous consent, Mr. Apgar introduced a bill entitled "An act to amend chapter 488 of the Laws of 1892, entitled 'An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York and the different counties thereof, relating to shooting game in Westchester county upon the public highway,'" which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on fisheries and game.

By unanimous consent, Mr. Wilson introduced a bill entitled "An act to amend the State Charities Law, in relation to the support of children of inmates of houses of refuge for women" (Int. No. 1334), which was read the first time, and referred to the committee on charitable and religious societies.

By unanimous consent, Mr. Meyer introduced a bill entitled "An act to amend the Greater New York Charter, relating to pensions of members of the police board" (Int. No. 1331), which was read the first time, and referred to the committee on affairs of cities.

Mr. Allds offered for the consideration of the House, a resolution in the words following:

Whereas, The sad intelligence has reached the Assembly this morning, of the sudden demise of the estimable wife of the Honorable Hamilton Fish, a former speaker of this House, and

Whereas, The members of this House sympathize with the husband and family of the deceased in this hour of their bereavement,

Therefore, as a mark of its respect and esteem for the sorrow-stricken husband and the estimable qualities of the deceased,

Resolved, That this House do now adjourn.

Whereupon at 3:50 p. m., the House in pursuance of said resolution adjourned.

FRIDAY, MARCH 17, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Chas. N. Gibbons.

The reading of the journal having been commenced,

Mr. Dillon.—Mr. Speaker, I object to approving of the journal of yesterday; and I will only approve it so far—up to the Farrell bill—I want the journal read.

Mr. Speaker.—The Clerk will read the portion of the journal that the gentleman calls for. The Chair would ask the gentleman from New York if he proposes to make a motion to strike out from this journal?

Mr. Dillon.—That would depend, Mr. Speaker, on one thing—just what the vote is on that bill.

Mr. Speaker.—The Chair desires to know what this motion is before he will rule upon that proposition of reading the journal. The Chair will hold that if the gentleman desires to make a motion to strike out, that under parliamentary proceedings it is necessary to approve first. If the gentleman desires to make a motion to correct, the Chair will hold the journal be read.

Mr. Dillon.—I want to correct.

Mr. Speaker.—Very well; the Clerk will read that portion of the journal.

Clerk reads journal, including roll call.

Mr. Dillon.—Now, Mr. Speaker, I have a list made up by the Desk, which perfectly agrees with that read, showing only 77 votes there, while it has been announced to the members 78, and has been so recorded. I wish to amend by making that 77. Furthermore, Mr. Speaker, I move to correct on the ground that certain gentlemen in this House are improperly recorded in this—the fact that Mr. Palmer—I do not claim there was any intent by the Desk, but there was certainly a mistake by the Desk; and that is what I want to correct. Mr. Palmer, with the distinct understanding of this House, did not vote on the subject. And he has been recorded in the affirmative. Mr. Sabine has also been recorded in the affirmative, and he voted in the negative. Mr. Kane has been recorded in the affirmative, and Mr. Kane was not in the House, and I can bring affidavits to prove that Mr. Hoffman and Mr. Sullivan were with him on the train to New York when his vote was recorded in this House—and that makes only 74 votes; and if 74 votes are only given to this bill, the bill won't pass.

Mr. Speaker.—The Chair will state, when this bill was under consideration the roll was called—the roll of absentees was called.

a detailed statement was asked for and given; and if the gentleman desired to challenge the vote upon this bill, he should have done it upon that occasion. The gentlemen have been recorded as they have voted, by the Desk. The Chair holds that this bill has been passed by a majority vote in this Legislature.

Mr. Dillon.—I think it is the personal privilege of any member in this House when the records of this House are read, in the morning, of the journal, he has the right to correct the minutes of this House. There is no one member in this House can keep in his mind and follow accurately the vote of one hundred and fifty members; and it is taken for granted that when the roll call is made in this House on any bill, that we have the right on the following day to amend the record if it is incorrect; and I think we are only acting within our privileges and our right when we ask that that record be corrected. I insist on my right and the correction of the record!

Mr. Speaker.—The Chair would inform the gentleman from New York that the bill upon which he desires to correct the vote is now in the Senate.

Mr. Finn offered for the consideration of the House a resolution in the words following:

Resolved, That a respectful message be sent to the Senate, requesting the return to the Assembly, of Assembly bill (No. 1227) entitled "An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York" (Int. No. 592.)

Mr. Kelsey moved that said motion lay on the table.

Mr. McKeown.—Mr. Speaker, I raise the point of order, that this bill having passed out of the possession of this House, the House has no further control of it.

Mr. Kelsey.—I think the motion of the gentleman from New York is in order, recalling a bill; now, it seems to me that we could better lay that motion on the table until the gentleman is here.

Mr. Finn.— One moment, Mr. Kelsey, I would like to ask the Speaker, the Desk, through the Speaker if the bill has left the possession of the House?

Mr. Speaker.—It has.

Mr. Finn.—Is it in the Senate now?

Mr. Speaker.—The bill is in the Senate.

Mr. Finn.—Well, I think that the motion to recall is a proper thing, and I have no objections to accede to the request of Mr. Kelsey to lay the motion on the table, to be called up Monday night.

Mr. McKeown.—Mr. Speaker, I raise the point of order that there is nothing now in order but the approval of the minutes.

Mr. Finn.—A motion to correct the journal is in order.

Mr. Speaker.—The Chair will hold that the first motion in order is upon the correction of the question of the minutes, and will entertain the motion to recall the bill afterwards. The Chair will not entertain the motion to recall the bill during a discussion of the correction of the minutes. The Chair believes that the minutes as read this morning, as they have always been found to be—are correct—there is dispute about that, upon that proposition. The Chair will then entertain the motion to recall the bill. The Chair desires to call the attention of the House to the fact that this bill had two roll calls and a detailed statement. The business of members is to be here and see how they are recorded. No question was raised yesterday upon this bill.

Mr. Finn.—I think the gentleman (Mr. Dillon) will withdraw the motion to correct the journal, because in all parliamentary practice the journal must be approved as read, you can correct it afterwards.

Mr. Speaker.—The Chair will hold upon the proposition to strike out from the journal that it is necessary to approve. Upon the question of correction it is not necessary to approve. The question occurs upon the motion that the journal—

Mr. Dillon.—I withdraw that motion.

Mr. Kelsey moved that said motion of Mr. Finn lay on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Axtell (by request) introduced a bill entitled "An act to

amend chapter 285 of the Laws of 1884, entitled 'An act to provide for the transfer of securities and property of bankrupt corporations to the receivers of such corporations and for the transfer by the superintendent of the Insurance Department to receivers of insolvent life insurance and annuity companies of funds and securities deposited with such superintendent by such companies for the security of policy holders' (Int. No. 1337), which was read the first time and referred to the committee on insurance.

Mr. Babcock introduced a bill entitled "An act to incorporate the Anglo-Saxon Insurance Company" (Int. No. 1338), which was read the first time, and referred to the committee on banks.

Mr. Ball introduced a bill entitled "An act to establish a State industrial school for colored orphan children and making an appropriation therefor" (Int. No. 1339), which was read the first time, and referred to the committee on ways and means.

Mr. Burnett (by request) introduced a bill entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva relative to conduits'" (Int. No. 1340), which was read the first time, and referred to the committee on affairs of cities.

Mr. Collier introduced a bill entitled "An act to amend section 3253 of the Code of Civil Procedure relating to allowances of cost" (Int. No. 1341), which was read the first time, and referred to the committee on codes.

Mr. De Graw introduced a bill entitled "An act for the protection of public health and to prohibit certain nuisances" (Int. No. 1342), which was read the first time, and referred to the committee on public health.

Mr. Gale introduced a bill entitled "An act to release to John Hermansen all the right, title and interest of the people of the State of New York in and to certain real estate" (Int. No. 1343), which was read the first time, and referred to the committee on the judiciary.

Mr. Gardiner introduced a bill entitled "An act to amend chapter 711 of the Laws of 1881, entitled 'An act to revise, consoli-

date and amend the several acts relating to the New York State Reformatory at Elmira, relating to sentence of persons confined therein' " (Int. No. 1344), which was read the first time, and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend the Penal Code, relating to the term of confinement in the New York State Reformatory " (Int. No. 1345), which was read the first time, and referred to the committee on codes.

Mr. Grossman introduced a bill entitled "An act to repeal chapter 294 of the Laws of 1891, entitled 'An act in relation to elevated railroads in cities " (Int. No. 1346), which was read the first time, and referred to the committee on railroads.

Mr. Hill introduced a bill entitled "An act for the licensing of operators, motormen and drivers of cabs, trucks or other vehicles propelled by any power other than animal power, in cities of the first class " (Int. No. 1347), which was read the first time and referred to the committee on affairs of cities.

Mr. Maher introduced a bill entitled "An act to amend the Greater New York charter, in relation to offensive trades " (Int. No. 1348), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend section 837 of the Greater New York charter, in relation to setting apart a certain pier in the borough of Manhattan for recreation purposes " (Int. No. 1349), which was read the first time and referred to the committee on affairs of cities.

Mr. Roberts introduced a bill entitled "An act to amend the Poor Law, relating to proceedings to compel support of poor persons " (Int. No. 1350), which was read the first time and referred to the committee on general laws.

Mr. Sabine introduced a bill entitled "An act to amend chapter 415 of the Laws of 1897 entitled 'An act in relation to labor, constituting chapter 32 of the general laws relative to the hours of labor and the prevailing rate of wages ' " (Int. No. 1351), which was read the first time and referred to the committee on labor and industries.

Mr. C. A. Sloane introduced a bill entitled "An act entitled 'An act to regulate the publication of the general and local laws passed by the Legislature of this State and other State printing in the county of Schuyler, New York'" (Int. No. 1352), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled "An act to authorize the appointment of a county detective in the counties of more than 45,000 inhabitants and to fix the compensation of such detective" (Int. No. 1353), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira'" (Int. No. 1354), which was read the first time and referred to the committee on affairs of cities.

Mr. J. J. Sloane introduced a bill entitled "An act to amend chapter 635 of the Laws of 1895 entitled 'An act to revise the charter of the city of Yonkers'" (Int. No. 1355), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend chapter 596 of the Laws of 1898, entitled 'An act to organize and establish a police department for the city of Yonkers, and the acts amendatory thereof'" (Int. No. 1356), which was read the first time and referred to the committee on affairs of cities.

Mr. Trainor introduced a bill entitled "An act providing for the punishment of pools, trusts and conspiracies to control rates of transportation" (Int. No. 1357), which was read the first time and referred to the committee on the judiciary.

Mr. Kelsey introduced a bill entitled "An act to facilitate the revision of the general statutes and the codes" (Int. No. 1358), which was read the first time and referred to the committee on the judiciary.

The Senate sent for concurrence the following entitled bills:

"An act to amend an act entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, New York' passed April 23, 1869" (No. 891, Rec. No.

166), which was read the first time and referred to the committee on banks.

"An act to incorporate 'The Improved Order of Red Men's Home Association of New York'" (No. 892, Rec. No. 167), which was read the first time and referred to the committee on charitable and religious societies.

"An act to release to George W. Tindale, all the right, title and interest in and to the personal property and estate of James J. Falvey" (No. 899, Rec. No. 168), which was read the first time and referred to the committee on the judiciary.

"An act to provide for the publication and distribution of the Fisheries, Game and Forest Law, as amended" (No. 865, Rec. No. 169), which was read the first time and referred to the committee on ways and means.

"An act to amend the Railroad Law, and the acts amendatory thereof, relative to grade crossings" (No. 765, Rec. No. 170), which was read the first time and referred to the committee on railroads.

"An act to alter the map or plan of the city of New York by laying out certain lands in the Twelfth ward of the borough of Manhattan and for acquiring the same for a public park" (No. 522, Rec. No. 171), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of New Rochelle in the county of Westchester'" (No. 291, Rec. No. 172), which was read the first time and referred to the committee on affairs of villages.

"An act to legalize the official acts of the assessors of the village of South Nyack" (No. 429, Rec. No. 173), which was read the first time and referred to the committee on affairs of villages.

"An act to amend the Insanity Law, relating to transfers from State hospitals to Matteawan State Hospital and the cost of

maintenance of persons confined in such hospital" (No. 667, Rec. No. 174), which was read the first time and referred to the committee on ways and means.

"An act to amend the State Finance Law, relative to the disposition of the surplus moneys arising from the foreclosure of loan office mortgages" (No. 666, Rec. No. 175), which was read the first time and referred to the committee on ways and means.

"An act to revise the charter of the city of Gloversville" (No. 893, Rec. No. 176), which was read the first time and referred to the committee on affairs of cities.

"An act to facilitate the proving of the incorporation of new corporations, formed by the consolidation of two or more corporations" (No. 574, Rec. No. 177), which was read the first time and referred to the committee on the judiciary.

"An act to authorize the board of estimate and apportionment of the city of New York to provide for the payment for the services rendered to the city of Brooklyn in the county of Kings, (now forming part of the city of New York, under and by virtue of chapter 378 of the Laws of 1894), by the volunteer firemen of the towns of Flatbush, Flatlands, New Utrecht and Gravesend, respectively annexed to said former city of Brooklyn, by chapters 356, 450, 451 and 449 of the Laws of 1894, after such respective annexation" (No. 866, Rec. No. 178), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Insurance Law" (No. 843, Rec. No. 179), which was read the first time and referred to the committee on insurance.

The bill (No. 1470) entitled "An act to amend an act entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws, being chapter 376 of the Laws of 1896, in relation to auctions and auctioneers'" (Int. No. 213), having been announced for a third reading,

On motion of Mr. Mazet, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1601) entitled "An act to make the office of sheriff

of Genesee county a salaried office and to regulate the management thereof " (Int. No. 1058), was read the second time.

On motion of Mr. Ellis, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 710) entitled "An act to amend title 5 of the Penal Code in relation to offenses against the Election Laws " (Int. No. 685), having been announced for a second reading,

On motion of Mr. Mazet, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1530) entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' and the acts amendatory thereof, generally " (Int. No. 1243), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Gould	Mazet	Russell
Allds	Cross	Graham	McEwan	Sabine
Apgar	Darrison	Green	McInerney	Sage H M
Axtell	Davis	Hays	McKeown	Sage S B
Babcock	Dean	Heller	McMillan	Sanders
Baker	De Graw	Henderson	Meister	Sandford
Ball	Delaney	Henry	Meyer	Sands
Barrett	Dillon	Hill	Miles	Sawyer
Bashford	Doughty	Hitchcock	Mohring	Schmid A F
Baum	Dutton	Hoffman	Murphy	Slater
Bedell	Egan	Hutton	O'Connell	Sloane C A

Beede	Ellis	Johnson	O'Connor	Sloane J J
Boland	Evarts	Juengst	Palmer	Smith J E
Brennan E C	Fallows	Kane	Paris	Sullivan W J
Brennan J F	Fancher	Kelley E E	Phillips	Ten Eyck
Brewster	Farrell	Kelly G T	Post	Thorn
Brown	Finn	Kelsey	Poth	Torborg
Bryan	Fish	Kullman	Redington	Trainor
Bulkley	Fitzgerald	Lewis M E	Riedman	Ware
Burnett	Fordyce	Lewis T D	Rierdon	West
Cain	Fowler	Litchard	Roberts	Whipple
Clark	Gale	Maher	Roche	Wilson
Collier	Gallagher	Mangin	Rodenbeck	Wingenfeld
Collins	Gardiner	Martin	Rogers	Wissel
Cottle	Gleason	Mason	Rowe	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1555) entitled "An act to amend an act in relation to the traffic in liquors and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws, being chapter 112 of the Laws of 1896 as amended by chapter 312 of the Laws of 1897 and legalizing elections thereunder" (Int. No. 1224), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1288) entitled "An act to amend chapter 223 of the Laws of 1890, relating to the raising of money by towns for the proper observance of Memorial or Decoration day" (Int. No. 1075), was read the second time.

On motion of Mr. Sands, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1483) entitled "An act in relation to the election of assessors and justices of the peace in the town of Southampton, in the county of Suffolk" (Int. No. 1189), was read the second time.

On motion of Mr. Hallock, said bill was placed on the order of third reading.

On motion of Mr. Hallock, and by unanimous consent, said bill was read the third time, having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meister	Schoeneck
Allds	Davis	Hallock	Meyer	Sears
Apgar	Dean	Harburger	Miles	Sharkey
Axtell	De Graw	Henry	Mohring	Slater
Babcock	Delaney	Hill	O'Connor	Sloane C A
Baker	Dillon	Hitchcock	Palmer	Sloane J J
Ball	Doughty	Hoffman	Paris	Smith J T
Barrett	Dutton	Hutton	Patton	Snyder
Bashford	Egan	Johnson	Phillips	Sprague
Baum	Ellis	Juengst	Pickett	Stoneman
Bedeil	Evarts	Kane	Post	Streifer
Beede	Fallows	Kelley E E	Poth	Sullivan T P
Boland	Fancher	Kelly G T	Redington	Sullivan W J
Brennan E C	Farrell	Kelsey	Riedman	Ten Eyck
Brennan J F	Finn	Kullman	Rodenbeck	Thorn
Brewster	Fish	Lewis M E	Rogers	Torborg
Brown	Fitzgerald	Lewis T D	Rowe	Trainor
Bryan	Fordyce	Litchard	Russell	Tripp
Bulkley	Fowler	Maher	Sabine	Vincent
Burnett	Gale	Mangin	Sage H M	Ware
Cain	Gallagher	Martin	Sage S B	West
Clark	Gardiner	Mason	Sanders	Whipple
Collier	Gleason	Mazet	Sandford	Wilson
Collins	Graham	McEwan	Sands	Wingenfeld
Costello	Green	McInerney	Sawyer	Wissel
Cottle	Greenwood	McKeown	Schmid A F	Witter
Cotton	Grossman	McMillan	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1182) entitled "An act to amend chapter 434 of the Laws of 1873, entitled 'An act authorizing the formation of a corporate body to be known as the Firemen's Association of

the State of New York, as amended by chapter 619 of the Laws of 1894 " (Int. No. 1013), was read the second time.

On motion of Mr. E. E. Kelley, said bill was placed on the order of third reading, and referred to the committee on revision.

On motion of Mr. E. E. Kelley, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	McMillan	Sandford
Allds	Darrison	Hays	Meister	Schoeneck
Apgar	Davis	Heller	Meyer	Sears
Axtell	Dean	Henderson	Miles	Sharkey
Babcock	De Graw	Henry	Mohring	Siems
Baker	Delaney	Hill	Murphy	Slater
Ball	Dillon	Hitchcock	O'Connell	Sloane C A
Barrett	Doughty	Hoffman	O'Connor	Sloane J J
Bashford	Dutton	Hutton	Palmer	Smith J E
Baum	Egan	Johnson	Paris	Smith J T
Bedell	Ellis	Juengst	Patton	Snyder
Beede	Evarts	Kane	Phillips	Sprague
Boland	Fallows	Kelley E E	Post	Stoneman
Brennan E O	Fancher	Kelly G T	Poth	Streifler
Brennan J F	Farrell	Kelsey	Redington	Sullivan T P
Brewster	Finn	Kullman	Riedman	Sullivan W J
Brown	Fish	Lewis M E	Rierdon	Trainor
Bryan	Fitzgerald	Lewis T D	Roberts	Tripp
Bulkley	Fordyce	Litchard	Roche	Vincent
Burnett	Gould	Maher	Rodenbeck	Ware
Cain	Graham	Mangin	Rogers	West
Clark	Green	Martin	Rowe	Whipple
Collier	Greenwood	Mason	Russell	Wilson
Collins	Grossman	Mazet	Sabine	Wingenfeld
Costello	Guider	McEwan	Sage H M	Wissel
Cottle	Hallock	McInerney	Sage S B	Witter
Cotton	Harburger	McKeown	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1480) entitled "An act to amend the Election Law relative to independent nominations" (Int. No. 1186), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 783) entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and school-houses" (Int. No. 718), having been announced for a second reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 227) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 227), was read the second time.

On motion of Mr. Sprague, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 228) entitled "An act giving jurisdiction to the Court of Claims to hear, audit and determine any and all alleged claims and to settle all claims and questions that have arisen or may arise in relation to money under the control of the State, belonging to the Stockbridge tribe or band of Indians or any individual Indian of that tribe or his descendants" (Int. No. 228), was read the second time.

On motion of Mr. Paris, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 429) entitled "An act to authorize the Court of Claims to hear and audit the alleged claims of certain auctioneers, and to make awards thereon" (Int. No. 410), was read the second time.

On motion of Mr. Fallows, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Hallock	McKeown	Sanders
Allds	Cotton	Harburger	McMillan	Sandford
Apgar	Darrison	Hatch	Meister	Sands
Axtell	Davis	Hays	Meyer	Sawyer
Babcock	Dean	Heiler	Miles	Schmid A F
Baker	De Graw	Henderson	Mohring	Schoeneck
Ball	Delaney	Henry	Murphy	Sears
Barrett	Dillon	Hill	O'Connell	Sharkey
Bashford	Doughty	Hitchcock	O'Connor	Slater
Baum	Dutton	Kane	Palmer	Sloane C A
Bedell	Evarts	Kelley E E	Paris	Streifler
Beede	Fallows	Kelly G T	Patton	Sullivan T P
Boland	Finn	Kelsey	Phillips	Sullivan W J
Brennan E C	Fish	Kullman	Pickett	Torborg
Brennan J F	Fitzgerald	Lewis M E	Post	Trainor
Brewster	Fordyce	Lewis T D	Poth	Tripp
Brown	Fowler	Litchard	Redington	Vincent
Bryan	Gale	Maher	Riedman	Ware
Bulkley	Gleason	Mangin	Rierdon	West
Burnett	Gould	Martin	Roberts	Whipple
Cain	Graham	Mason	Roche	Wilson
Clark	Green	Mazet	Rodenbeck	Wingenfeld
Collier	Greenwood	McEwan	Rogers	Wissel
Collins	Grossman	McInerney	Rowe	Witter
Costello	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1285) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Devillo Palmer against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1072), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 692) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of The E. G. Bernard Company against the State, and to make an award therefor" (Int. No. 646), was read the second time.

On motion of Mr. Hutton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1337) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State, and render judgment therefor" (Int. No. 1110), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1300) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Earlls, Thayer and Company against the State for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 1087), was read the second time.

On motion of Mr. Cottle, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1441) entitled "An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the islands of Cuba, Porto Rico, Guam, the Philippine islands and the islands of Hawaii" (Int. No. 1171), was read the second time.

On motion of Mr. Fish, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1439) entitled "An act to amend the charter of the city of Rochester, and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements" (Int. No. 1169), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1386) entitled "An act to authorize the city of Albany to close Elk street between Lexington avenue and Robin street, in said city" (Int. No. 1129), was read the second time.

On motion of Mr. McEwan, said bill was placed on the order of third reading.

On motion of Mr. McEwan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Heller	McMillan	Schmid A F
Allds	Cowles	Henderson	Meister	Schmid F
Apgar	Cross	Henry	Meyer	Schoeneck
Axtell	Darison	Hill	Murphy	Sears
Babcock	De Graw	Hitchcock	O'Connell	Sharkey
Baker	Delaney	Hoffman	O'Connor	Siems
Ball	Dillon	Hutton	Palmer	Slater
Barrett	Doughty	Johnson	Paris	Sloane C A
Bashford	Dutton	Juengst	Patton	Sloane J J
Bedell	Egan	Kane	Phillips	Smith J E
Beede	Ellis	Kelley E E	Pickett	Smith J T
Boland	Evarts	Kelly G T	Post	Snyder
Brennan E C	Fallows	Kelsey	Poth	Sprague
Brennan J F	Fancher	Kullman	Redington	Stoneman
Brewster	Farrell	Lewis M E	Riedman	Streifler
Brown	Finn	Lewis T D	Rierdon	Sullivan T P
Bryan	Fish	Litchard	Roberts	Sullivan W J
Bulkley	Fitzgerald	Maher	Roche	Ten Eyck
Burnett	Fordyce	Mangin	Rodenbeck	Thorn
Cain	Green	Martin	Rogers	Trainor
Clark	Greenwood	Mason	Sabine	Whipple
Collier	Grossman	Mazet	Sage H M	Wilson
Collins	Guider	McEwan	Sage S B	Wingenfeld
Costello	Hatch	McInerney	Sands	Wissel
Cottle	Hays	McKeown	Sawyer	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 767) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipali

under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to street cleaning department" (Int. No. 702), was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading.

On motion of Mr. Adler, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Heller	Meyer	Sears
Allds	Darrison	Henderson	Miles	Sharkey
Apgar	Davis	Henry	Mohring	Siems
Axtell	Dean	Hill	Murphy	Slater
Babcock	De Graw	Hutton	O'Connell	Sloane C A
Baker	Delaney	Johnson	Phillips	Sloane J J
Ball	Dillon	Juengst	Pickett	Smith J E
Barrett	Doughty	Kane	Post	Smith J T
Bashford	Dutton	Kelley E E	Poth	Snyder
Baum	Egan	Kelly G T	Redington	Sprague
Bedell	Ellis	Kelsey	Riedman	Stoneman
Beede	Evarts	Kullman	Rierdon	Streifer
Boland	Fallows	Lewis M E	Roberts	Sullivan T P
Brennan E C	Fancher	Lewis T D	Roche	Thorn
Brennan J F	Farrell	Litchard	Rodenbeck	Torborg
Brewster	Gallagher	Maher	Rogers	Trainor
Brown	Gardiner	Mangin	Rowe	Tripp
Bryan	Gleason	Martin	Russell	Vincent
Bulkley	Gould	Mason	Sabine	Ware
Burnett	Grossman	Mazet	Sandford	West
Cain	Guider	McEwan	Sands	Whipple

Clark	Hallock	McInerney	Sawyer	Wilson
Cotton	Harburger	McKeown	Schmid A F	Wingenfeld
Coughtry	Hatch	McMillan	Schmid F	Wissel
Cowles	Hays	Meister	Schoeneck	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1100) entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office" (Int. No. 948), having been announced for a second reading,

On motion of Mr. McKeown, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1209) entitled "An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder" (Int. No. 1026), was read the second time.

On motion of Mr. Johnson, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1099) entitled "An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office" (Int. No. 947), having been announced for a second reading,

On motion of Mr. Wilson, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1101) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office" (Int. No. 949), having been announced for a second reading,

On motion of Mr. Wilson, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1403) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department" (Int. No. 1199), was read the second time.

On motion of Mr. T. P. Sullivan, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1098) entitled "An act to amend section 58 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the powers of commissioners of deeds" (Int. No. 946), was read the second time.

On motion of Mr. Wilson, said bill was placed on the order of third reading.

On motion of Mr. Wilson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meyer	Schmid F
Allds	Darrison	Harburger	Miles	Schoeneck
Apgar	Davis	Hill	Mohring	Sears
Axtell	Dean	Hitchcock	Murphy	Sharkey
Babcock	De Graw	Hutton	Paris	Sloane C A
Baker	Delaney	Johnson	Patton	Sloane J J
Ball	Dillon	Juengst	Phillips	Smith J E
Barrett	Doughty	Kane	Pickett	Smith J T
Bashford	Dutton	Kelley E E	Post	Snyder
Baum	Egan	Kelly G T	Poth	Sprague
Bedell	Ellis	Kelsey	Redington	Stoneman
Beede	Evarts	Kullman	Riedman	Streifler
Boland	Fallows	Lewis M E	Rierdon	Sullivan T P
Brennan E	CFancher	Lewis T D	Roberts	Sullivan W J
Brennan J	FFarrell	Litchard	Roche	Ten Eyck
Brown	Finn	Maher	Rodenbeck	Thorn

Bryan	Gallagher	Mangin	Russell	Torborg
Bulkley	Gardiner	Martin	Sabine	Ware
Burnett	Gleason	Mason	Sage H M	West
Cain	Gould	Mazet	Sage S B	Whipple
Clark	Graham	McEwan	Sanders	Wilson
Cottle	Green	McInerney	Sandford	Wingenfeld
Cotton	Greenwood	McKeown	Sands	Wissel
Coughtry	Grossman	McMillan	Sawyer	Witter
Cowles	Guider	Meister	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1281) entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo, to grant and allow a pension to Mary M. Diehl " (Int. No. 1068), was read the second time.

On motion of Mr. Kane, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1094) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the Richmond County Society for the Prevention of Cruelty to Children " (Int. No. 942), was read the second time.

On motion of Mr. Kullman, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1060) entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Frances Schneggenburger " (Int. No. 927), was read the second time.

On motion of Mr. Kane, said bill was placed on the order of third reading, and referred to the committee on revision.

The Senate bill (No. 426) entitled "An act to legalize the official action of Frank Davis, former sole commissioner of highways of the town of Rotterdam, Schenectady county, and to authorize the issue of bonds for the payment of indebtedness by him incurred " (Rec. No. 91), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading.

On motion of Mr. West, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hatch	Meister	Schoeneck
Allds	Cross	Hays	Meyer	Sears
Apgar	Darrison	Heller	Miles	Sharkey
Axtell	Davis	Henderson	Mohring	Siems
Babcock	Dean	Henry	Murphy	Slater
Baker	De Graw	Hill	O'Connell	Sloane C A
Ball	Delaney	Hitchcock	Palmer	Sloane J J
Barrett	Dillon	Johnson	Paris	Smith J E
Bashford	Doughty	Juengst	Patton	Stoneman
Baum	Fanchier	Kane	Phillips	Streifler
Bedell	Farrell	Kelley E E	Post	Sullivan T P
Beede	Finn	Kelly G T	Rierdon	Sullivan W J
Boland	Fish	Kelsey	Roberts	Ten Eyck
Brennan E C	Fitzgerald	Kullman	Roche	Thorn
Brennan J F	Fordyce	Lewis M E	Rodenbeck	Torborg
Brewster	Fowler	Lewis T D	Rogers	Trainor
Brown	Gale	Litchard	Sage H M	Tripp
Bryan	Gallagher	Maher	Sage S B	Vincent
Bulkley	Gardiner	Mangin	Sanders	Ware
Burnett	Gleason	Martin	Sandford	West
Cain	Green	Mason	Sands	Whipple
Clark	Greenwood	Mazet	Sawyer	Wingenfeld
Cottle	Hallock	McEwan	Schmid A F	Wissel
Cotton	Harburger	McMillan	Schmid F	Witter
Coughtry				

Ordered, That the Clerk return said bill to the Assembly, with a message that the Senate have concurred in the passage of the same.

The Senate bill (No. 695) entitled "An act to entitle Eugene D. Scribner to examination for admission as an attorney and counselor-at-law" (Rec. No. 146), was read the second time.

On motion of Mr. Finn, said bill was placed on the order of third reading.

On motion of Mr. Finn, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McEwan	Schmid AF
Allds	Cross	Hallock	McInerney	Schmid F
Apgar	Darrison	Heller	McKeown	Schoeneck
Axtell	Davis	Henderson	Meister	Sears
Babcock	Dean	Henry	Meyer	Slater
Baker	De Graw	Hill	Miles	Sloane C A
Ball	Delaney	Hitchcock	Mohring	Sloane J J
Barrett	Egan	Johnson	Murphy	Smith J E
Bashford	Ellis	Juengst	O'Connell	Stoneman
Baum	Evarts	Kane	Palmer	Streifler
Bedell	Fallows	Kelley E E	Paris	Sullivan T P
Beede	Fancher	Kelly G T	Patton	Sullivan W J
Boland	Farrell	Kelsey	Phillips	Ten Eyck
Brennan E C	Finn	Kullman	Poth	Thorn
Brennan J F	Fish	Lewis H M	Redington	Torborg
Brewster	Fitzgerald	Lewis T D	Riedman	Trainor
Brown	Fordyce	Litchard	Rierdon	Tripp
Collier	Gleason	Maher	Roberts	Whipple
Collins	Gould	Mangin	Sanders	Wilson
Costello	Graham	Martin	Sandford	Wingenfeld
Cottle	Green	Mason	Sands	Wissel
Cotton	Greenwood	Mazet	Sawyer	Witter
Coughtry	Grossman			

Ordered, That the Clerk return said bill to the Senate, with the message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 178) entitled "An act to legalize the pro-

ceedings take by the village of Sea Cliff for issue of bonds in the amount of \$8,000 to pay for the construction of flagged sidewalks and the laying out and paving of streets in said village" (Rec. No. 126), was read the second time.

On, motion of Mr. Norton, said bill was placed on the order of third reading.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	Mangin	Rogers
Allds	Coughtry	Gould	Martin	Rowe
Apgar	Cowles	Graham	Mason	Russell
Axtell	Cross	Green	Mazet	Sabine
Babcock	Darrison	Greenwood	McInerney	Sage H M
Baker	Davis	Grossman	McKeown	Sage S B
Ball	Dean	Guider	McMillan	Sanders
Barrett	De Graw	Hallock	Meister	Sandford
Bashford	Delaney	Harburger	Meyer	Sands
Baum	Dillon	Hatch	Miles	Schmid A F
Bedell	Doughty	Hays	Mohring	Schmid F
Beede	Dutton	Heller	Murphy	Schoeneck
Boland	Egan	Henderson	O'Connell	Sharkey
Brennan E	Cellis	Henry	O'Connor	Slater
Brennan J F	Evarts	Hill	Palmer	Sloane C A
Brewster	Fallows	Hitchcock	Paris	Sloane J J
Brown	Fancher	Hoffman	Patton	Smith J E
Bryan	Farrell	Johnson	Phillips	Smith J T
Bulkley	Finn	Jnengst	Pickett	Sprague
Burnett	Fish	Kelley E E	Post	Stoneman
Cain	Fitzgerald	Kelsey	Redington	Sullivan W J
Clark	Fordyce	Kullman	Riedman	Ten Eyck
Collier	Fowler	Lewis M E	Rierdon	Wingenfeld
Collins	Gale	Lewis T D	Roberts	Wissel
Costello	Gallagher	Litchard	Rodenbeck	Witter
Cottle	Gardiner	Maher		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 366) entitled "An act authorizing the commissioners of the land office to grant letters patent to John W. Burdick of certain lands" (Rec. No. 113), was read the second time.

On motion of G. T. Kelley, said bill was placed on the order of third reading.

The Senate bill (No. 129) entitled "An act to amend the Domestic Relations Law, relating to the appointment of guardians by parents" (Rec. No. 115), was read the second time.

On motion of Mr. Collins, said bill was placed on the order of third reading.

The Senate bill (No. 504) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Addison L. Upham against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Rec. No. 92), having been announced for a second reading,

On motion of Mr. Bryan, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The Senate bill (No. 533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Robert Strong and Frederick Hahn, Clarence C. Race, John C. Granger and James H. Hawkins against the State of New York, for personal injuries growing out of an explosion of naphtha, which occurred at the capitol in the city of Albany, New York, on or about the 25th day of May, 1898, and render judgment therefor" (Rec. No. 74), was read the second time.

On motion of Mr. G. T. Kelly, said bill was placed on the order of third reading.

The Senate bill (No. 188) entitled "An act to provide a board of park commissioners in and for the city of Yonkers, and for the laying out and opening of one or more public parks in said city, and for the improvement and maintenance of said public park or parks" (Rec. No. 79), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

The Senate bill (No. 149) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Rec. No. 78), was read the second time.

On motion of Mr. Apgar, said bill was placed on the order of third reading.

The bill (No. 1617) entitled "An act to provide for the paving of Broad street and portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor" (Int. No. 449), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading.

On motion of Mr. West, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	McKeown	Schoeneck
Allds	Darrison	Hays	McMillan	Sears
Apgar	Davis	Henry	Meister	Sharkey
Axtell	Dean	Hill	Meyer	Siems
Babcock	De Graw	Hitchcock	Miles	Slater
Baker	Delaney	Hoffman	Mohring	Sloane C A
Ball	Ellis	Hutton	Murphy	Sloane J J
Barrett	Evarts	Johnson	Paris	Smith J E
Bashford	Fallows	Juengst	Patton	Snyder
Baum	Fancher	Kane	Phillips	Sprague
Bedell	Farrell	Kelley E E	Pickett	Stoneman
Beede	Finn	Kelly G T	Post	Streifler
Boland	Fish	Kelsey	Poth	Sullivan T P
Brennan E C	Fitzgerald	Kullman	Redington	Sullivan W J
Brennan J F	Fordyce	Lewis M E	Rodenbeck	Ten Eyck
Brewster	Fowler	Lewis T D	Rogers	Thorn

Brown	Gale	Litchard	Rowe	Torborg
Bryan	Gardiner	Maher	Russell	Ware
Bulkley	Graham	Mangin	Sabine	West
Burnett	Green	Martin	Sage S B	Whipple
Costello	Greenwood	Mason	Sanders	Wilson
Cottle	Grossman	Mazet	Sandford	Wingenfeld
Cotton	Guider	McEwan	Sands	Wissel
Coughtry	Hallock	McInerney	Sawyer	Witter
Cowles	Harburger			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1619) entitled "An act to amend chapter 114 of the Laws of 1869, entitled 'An act to amend an act to consolidate and amend the several acts relating to the village of Watkins, and to enlarge the powers of the corporation of said village, passed April 3, 1861'" (Int. No. 1094), was read the second time.

On motion of Mr. C. A. Sloane, said bill was placed on the order of third reading.

On motion of Mr. C. A. Sloane, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 119 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hill	Meyer	Sears
Allds	Dean	Hitchcock	Murphy	Sharkey
Apgar	De Graw	Hoffman	O'Connell	Siems
Axtell	Delaney	Hutton	O'Connor	Slater
Babcock	Dillon	Johnson	Palmer	Sloane C A
Baker	Fallows	Juengst	Paris	Sloane J J
Bell	Fancher	Kane	Patton	Smith J E
Barrett	Farrell	Kelley E E	Phillips	Smith J T
Bashford	Finn	Kelly G T	Pickett	Snyder
Baum	Fish	Kelsey	Post	Sprague
Bedell	Fitzgerald	Kullman	Poth	Stoneman
Beede	Fordyce	Lewis M E	Redington	Streifler

Boland	Fowler	Lewis T D	Riedman	Sullivan T P
Brewster	Gale	Litchard	Rierdon	Sullivan W J
Brown	Gallagher	Maher	Roberts	Ten Eyck
Bryan	Gardiner	Mangin	Rodenbeck	Thorn
Bulkley	Gleason	Martin	Rogers	Trainor
Burnett	Gould	Mason	Rowe	Vincent
Cain	Graham	Mazet	Russell	Whipple
Clark	Green	McEwan	Sabine	Wilson
Collier	Harburger	McInerney	Sage H M	Wingenfeld
Cowles	Hatch	McKeown	Sage S B	Wissel
Cross	Hays	McMillan	Sanders	Witter
Darrison	Heller	Meister	Schoeneck	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1638) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city" (Int. No. 1167), was read the second time.

On motion of Mr. Delaney, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1233) entitled "An act to amend chapter 469 of the Laws of 1898, entitled 'An act to protect navigation in certain tide waters within the State of New York'" (Int. No. 1044), having been announced for a second reading,

On motion of Mr. Doughty, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1301) entitled "An act to amend the Town Law, in relation to voting and borrowing money for the purchase of a site and the erection of a town house" (Int. No. 1088), was read the second time.

On motion of Mr. Cottle, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1302) entitled "An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings" (Int. No. 1089), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill

was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1252) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1063), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1107) entitled "An act to amend the Membership Corporation Law, in relation to the erection of soldiers' monuments" (Int. No. 956), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 711) entitled "An act to amend article 5 of the Executive Law relating to the Attorney-General" (Int. No. 686), having been announced for a second reading,

On motion of Mr. Mazet, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1036) entitled "An act to amend the County Law, as amended by chapters 150 and 718 of the Laws of 1895, relating to sheriffs' office; time of keeping open" (Int. No. 906), was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 42) entitled "An act to compel all subway companies to place on all manhole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes" (Int. No. 42), was read the second time.

On motion of Mr. Maher, said bill was placed on the order of third reading, and referred to the committee on revision.

Mr. Finn moved to reconsider the vote by which said bill was ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1498) entitled "An act to amend chapter 481 of the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers" (Int. No. 1204), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1137) entitled "An act to amend an act entitled 'An act in relation to taxation constituting chapter 24 of the general laws,' relating to revision and readjustment of accounts by Comptroller" (Int. No. 973), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1513) entitled "An act to provide for a system of public docks and terminals in the State of New York, and to provide for a commission to superintend the construction and maintenance of the same" (Int. No. 1041), having been announced for a second reading,

On motion of Mr. E. C. Brennan, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest" (Int. No. 175), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1314) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and

constituting chapter 24 of the general laws,' relating to the taxation of municipal property " (Int. No. 467), having been announced for a second reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on second reading for Tuesday next immediately after the reading of the journal.

The bill (No. 468) entitled "An act to amend chapter 974 of the Laws of 1895, entitled 'An act relating to game, fish and wild animals and to the forest preserve and Adirondack park, constituting chapter 31 of the general laws and to be known as the Fisheries, Game and Forest Law,' as further amended by chapter 139 of the Laws of 1898 " (Int. No. 448), was read the second time.

On motion of Mr. Kullman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 797) entitled "An act to amend the Fisheries, Game and Forest Law in relation to the manner of killing web-footed wild fowl, on Cayuga lake " (Int. No. 732), was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1425) entitled "An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer " (Int. No. 1158), was read the second time.

On motion of Mr. E. E. Kelley, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 172) entitled "An act to amend the Town Law, relative to change by towns of the time of holding town meetings " (Rec. No. 143), was read the second time.

On motion of Mr. Cowles, said bill was placed on the order of third reading.

The Senate bill (No. 691) entitled "An act to amend the Town Law in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898 " (Rec. No. 144), having been announced for a second reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The Senate bill (No. 379) entitled "An act to amend chapter 547 of the Laws of 1896, entitled 'An act relating to real property constituting chapter 46 of the general laws'" (Rec. No. 70), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading.

The Senate bill (No. 508) entitled "An act to amend section 31 of chapter 686 of the Laws of 1892 known as the County Law, relative to location of county buildings" (Rec. No. 129), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

The Senate bill (No. 693) entitled "An act to amend section 88 of chapter 908 of the Laws of 1896 known as the Tax Law relating to collectors' bonds" (Rec. No. 148), having been announced for a second reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The Senate bill (No. 751) entitled "An act to provide for enforcing the provisions of chapter 479 of the Laws of 1887, as amended by chapter 197 of the Laws of 1894, and chapter 570 of the Laws of 1895, and all acts amendatory thereof or supplementary thereto, and making an appropriation therefor" (Rec. No. 130), having been announced for a second reading.

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The Senate bill (No. 530) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to hares and rabbits" (Rec. 101), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading.

The bill (No. 1436) entitled "An act to legalize the official acts of John H. Mattice as justice of the peace of the town of Broome, Schoharie county" (Int. No. 1165), was read the third time, hav-

ing been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Henderson	Murphy	Schmid F
Allds	Cowles	Henry	O'Connor	Sears
Apgar	Darrison	Hitchcock	Palmer	Sharkey
Axtell	Davis	Hoffman	Paris	Siems
Babcock	De Graw	Hutton	Patton	Slater
Baker	Dillon	Johnson	Pickett	Sloane C A
Ball	Dutton	Juengst	Post	Smith J E
Barrett	Ellis	Kane	Poth	Smith J T
Bashford	Evarts	Kelley E E	Redington	Sprague
Baum	Fallows	Kelly G T	Riedman	Stoneman
Bedell	Farrell	Kelsey	Roberts	Streifer
Beede	Fish	Lewis M E	Roche	Sullivan W J
Boland	Fordyce	Lewis T D	Rodenbeck	Ten Eyck
Brennan E C	Fowler	Maher	Rowe	Thorn
Brennan J F	Gallagher	Mangin	Russell	Trainor
Brewster	Gleason	Mason	Sabine	Tripp
Bryan	Graham	Mazet	Sage H M	Vincent
Bulkley	Green	McEwan	Sage S B	West
Burnett	Grossman	McKeown	Sanders	Whipple
Clark	Guider	McMillan	Sandford	Wilson
Collier	Hallock	Meister	Sands	Wingenfeld
Collins	Hatch	Miles	Sawyer	Wissel
Costello	Hays	Mohring	Schmid A F	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1356) entitled "An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals" (Int. No. 369), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McMillan	Schmid A F
Allds	Davis	Harburger	Meister	Schmid F
Apgar	Dean	Hatch	Miles	Schoeneck
Axtell	De Graw	Hays	Mohring	Sears
Babcock	Delaney	Heller	O'Connell	Sharkey
Baker	Dillon	Henderson	O'Connor	Siems
Ball	Doughty	Henry	Palmer	Slater
Barrett	Dutton	Hill	Patton	Sloane C A
Bashford	Egan	Hitchcock	Phillips	Smith J E
Baum	Ellis	Hoffman	Pickett	Smith J T
Beede	Evarts	Hutton	Post	Snyder
Boland	Fallows	Johnson	Poth	Sprague
Brennan E C	Fancher	Juengst	Riedman	Stoneman
Brennan J F	Farrell	Kane	Rierdon	Streifler
Brewster	Fish	Kelley E E	Roberts	Sullivan T P
Brown	Fitzgerald	Kelsey	Roche	Sullivan W J
Bryan	Fordyce	Kullman	Rodenbeck	Thorn
Burnett	Fowler	Lewis M E	Rogers	Torborg
Cain	Gale	Lewis T D	Russell	Trainor
Clark	Gallagher	Maher	Sabine	Tripp
Collier	Gardiner	Mangin	Sage H M	Ware
Costello	Gleason	Martin	Sage S B	West
Cottle	Gould	Mason	Sanders	Wilson
Cotton	Green	McEwan	Sandford	Wingenfeld
Coughtry	Greenwood	McInerney	Sands	Wissel
Cowles	Grossman	McKeown	Sawyer	Witter
Cross	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1394) entitled "An act to amend the Lien Law, relating to the creation and enforcement of garment worker's liens" (Int. No. 1137), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Greenwood	Mason	Russell
Alds	Davis	Grossman	Mazet	Sabine
Apgar	Dean	Guider	McEwan	Sage H M
Axtell	De Graw	Hallock	McInerney	Sage S B
Babcock	Delaney	Harburger	McKeown	Sanders
Baker	Dillon	Hays	McMillan	Sandford
Ball	Doughty	Heller	Meister	Sands
Barrett	Dutton	Henderson	Meyer	Sawyer
Bashford	Egan	Henry	Mohring	Schmid A F
Baum	Ellis	Hill	Murphy	Schmid F
Bedell	Evarts	Hitchcock	O'Connell	Schoeneck
Beede	Fallows	Hoffman	O'Connor	Sears
Brennan E C	Fancher	Hutton	Palmer	Siems
Brown	Finn	Johnson	Paris	Slater
Bryan	Fish	Juengst	Patton	Sloane C A
Burnett	Fitzgerald	Kane	Phillips	Smith J E
Cain	Fordyce	Kelley E E	Post	Smith J T
Clark	Fowler	Kelsey	Poth	Sprague
Oollins	Gale	Kullman	Redington	Streifler
Costello	Gardiner	Lewis M E	Rierdon	Ten Eyck
Cotton	Gleason	Litchard	Roberts	Torborg
Coughtry	Gould	Maher	Rodenbeck	Tripp
Cowles	Graham	Mangin	Rogers	West
Cross	Green	Martin	Rowe	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1518) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to deer and venison on Long Island" (Int. No. 604), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Collins	Gleason	Martin	Schmid A F
Allds	Costello	Gould	Mason	Schoeneck
Apgar	Cottle	Graham	McEwan	Sears
Axtell	Coughtry	Greenwood	McKeown	Sharkey
Babcock	Cowles	Grossman	McMillan	Siems
Baker	Cross	Hallock	Meister	Sloane C A
Ball	Darrison	Harburger	Miles	Sloane J J
Barrett	Dean	Hays	Murphy	Smith J E
Bashford	De Graw	Heller	O'Connell	Snyder
Baum	Delaney	Henderson	Paris	Streifer
Bedell	Doughty	Hill	Patton	Sullivan W J
Beede	Egan	Hitchcock	Post	Ten Eyck
Boland	Ellis	Hoffman	Redington	Torborg
Brennan J F	Evarts	Johnson	Rierdon	Trainor
Brewster	Fancher	Kane	Roche	Tripp
Brown	Farrell	Kelley E E	Rogers	Ware
Bryan	Fish	Kelsey	Rowe	Whipple
Bulkley	Fordyce	Kullman	Sabine	Wilson
Burnett	Fowler	Lewis M E	Sage S B	Wingenfeld
Cain	Gale	Litchard	Sanders	Witter
Collier	Gardiner	Maher	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1522) entitled "An act in relation to the heating of railroad cars in cities having a population of 200,000 or over" (Int. No. 21), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Grossman	McInerney	Sawyer
Allds	Coughtry	Guider	McKeown	Schmid A F
Apgar	Cross	Harburger	Meister	Schmid F
Axtell	Darrison	Hays	Meyer	Sears

Babcock	Dean	Heller	Mohring	Sharkey
Baker	De Graw	Henry	Murphy	Slater
Ball	Delaney	Hill	O'Connor	Sloane C A
Barrett	Dillon	Hoffman	Palmer	Smith J E
Bashford	Dutton	Hutton	Patton	Snyder
Baum	Egan	Juengst	Pickett	Streifler
Bedell	Ellis	Kane	Post	Sullivan W J
Beede	Evarts	Kelley E E	Poth	Thorn
Boland	Fancher	Kelsey	Riedman	Torborg
Brennan EC	Farrell	Kullman	Roberts	Tripp
Brennan J F	Finn	Lewis T D	Roche	Vincent
Brewster	Fish	Litchard	Rogers	Ware
Bryan	Fordyce	Maher	Rowe	West
Bulkley	Fowler	Mangin	Russell	Whipple
Burnett	Gallagher	Martin	Sage H M	Wilson
Clark	Gardiner	Mazet	Sanders	Wingenfeld
Collier	Gould	McEwan	Sands	Wissel
Costello	Green			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1471) entitled "An act to further amend section 184 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the commissioners of police" (Int. No. 746), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 104 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hays	Meister	Schoeneck
Allds	Dean	Heller	Miles	Sharkey
Apgar	Delaney	Henry	Mohring	Slater
Axtell	Dillon	Hitchcock	O'Connell	Sloane C A
Babcock	Doughty	Hutton	O'Connor	Smith J E
Baker	Dutton	Juengst	Paris	Smith J T

Ball	Egan	Kane	Phillips	Snyder
Bashford	Ellis	Kelley E E	Pickett	Stoneman
Baum	Fallows	Kelly G T	Poth	Streifler
Beede	Fancher	Kelsey	Redington	Sullivan W J
Boland	Finn	Kullman	Rierdon	Ten Eyck
Brennan J F	Fitzgerald	Lewis M E	Roche	Thorn
Brewster	Fordyce	Lewis T D	Rodenbeck	Trainor
Bryan	Fowler	Litchard	Rowe	Vincent
Burnett	Gale	Maher	Russell	Ware
Clark	Gallagher	Mangin	Sage H M	West
Collier	Gleason	Martin	Sage S B	Whipple
Costello	Graham	Mazet	Sandford	Wingenfeld
Cottle	Green	McEwan	Sands	Wissel
Coughtry	Grossman	McInerney	Sawyer	Witter
Cross	Hallock	McMillan	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1467) entitled "An act granting additional powers to The Depew and Lancaster Light, Power and Conduit Company" (Int. No. 216), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 119 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Miles	Schmid F
Allds	Cross	Hatch	Mohring	Schoeneck
Apgar	Darrison	Hays	Murphy	Sears
Axtell	Dean	Henderson	O'Connor	Sharkey
Babcock	De Graw	Hill	Paris	Siems
Baker	Dillon	Hitchcock	Patton	Sloane C A
Ball	Doughty	Hutton	Pickett	Sloane J J
Barrett	Dutton	Johnson	Post	Smith J T
Bashford	Egan	Juengst	Poth	Snyder
Baum	Ellis	Kane	Redington	Sprague
Bedell	Evarts	Kelly G T	Rierdon	Streifler
Beede	Fancher	Kelsey	Roberts	Sullivan T P

Boland	Farrell	Kullman	Roche	Sullivan W J
Brennan E C	Fish	Lewis M E	Rodenbeck	Ten Eyck
Brennan J F	Fitzgerald	Lewis T D	Rowe	Thorn
Brown	Fowler	Litchard	Russell	Torborg
Bryan	Gale	Mangin	Sabine	Tripp
Cain	Gleason	Martin	Sage H M	Vincent
Clark	Gould	Mason	Sage S B	Ware
Collier	Graham	Mazet	Sanders	West
Collins	Green	McInerney	Sandford	Wilson
Costello	Greenwood	McKeown	Sands	Wingenfeld
Cottle	Grossman	McMillan	Sawyer	Witter
Coughtry	Guider	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1221) entitled "An act to provide for the disposition of the property and the apportionment of the debts of the former town of Watervliet among the municipalities created out of said town" (Int. No. 1038), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hatch	Meister	Sands
Allds	Delaney	Hays	Miles	Schmid A F
Apgar	Dillon	Henderson	Mohring	Schmid F
Axtell	Doughty	Henry	Murphy	Schoeneck
Babcock	Egan	Hill	O'Connell	Sears
Baker	Ellis	Hoffman	O'Connor	Siems
Ball	Evarts	Hutton	Paris	Slater
Bashford	Fallows	Johnson	Phillips	Sloane C A
Baum	Fancher	Juengst	Pickett	Sloane J J
Bedell	Farrell	Kelley E E	Post	Smith J E
Boland	Finn	Kelly G T	Poth	Smith J T
Brennan E C	Fish	Kelsey	Redington	Snyder
Brewster	Fitzgerald	Kullman	Riedman	Sprague

Brown	Fordyce	Lewis M E	Rierdon	Stoneman
Bulkley	Fowler	Lewis T D	Roche	Sullivan T P
Burnett	Gale	Litchard	Rodenbeck	Sullivan W J
Cain	Gallagher	Maher	Rogers	Thorn
Clark	Gardiner	Mangin	Rowe	Torborg
Collins	Gould	Martin	Russell	Vincent
Costello	Graham	Mason	Sabine	West
Cottle	Green	Mazet	Sage H M	Whipple
Coughtry	Greenwood	McInerney	Sage S B	Wilson
Cross	Guider	McKeown	Sanders	Wingenfeld
Davis	Hallock	McMillan	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1287) entitled "An act to provide for the better administration of justice in the town of Green Island, county of Albany" (Int. No. 1074), having been announced for a third reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

The bill (No. 1460) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the construction of sewers in the borough of Brooklyn and providing for the payment of the cost thereof by local assessment" (Int. No. 1024), having been announced for a third reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1545) entitled "An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow the claim of William F. S Hart, as assignee of George S. Chapman, for expenses and disbursements incurred by George S. Chapman as a police captain in the city of New York during the months of December, 1896, and January, 1897"

(Int. No. 505), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meyer	Sawyer
Allds	Darrison	Harburger	Miles	Schmid A F
Apgar	Davis	Hatch	Murphy	Schmid F
Axtell	De Graw	Hays	O'Connell	Schoeneck
Babcock	Delaney	Heller	O'Connor	Sears
Baker	Dillon	Henderson	Palmer	Sharkey
Ball	Doughty	Henry	Paris	Siems
Bashford	Dutton	Hill	Patton	Slater
Baum	Ellis	Hitchcock	Phillips	Sloane C A
Bedell	Evarts	Hoffman	Pickett	Sloane J J
Beede	Fallows	Johnson	Post	Smith J E
Boland	Fancher	Juengst	Poth	Snyder
Brennan E C	Farrell	Kane	Redington	Sprague
Brennan J F	Finn	Kelly G T	Riedman	Stoneman
Brewster	Fish	Kelsey	Rierdon	Streifler
Brown	Fitzgerald	Kullman	Roberts	Sullivan T P
Bryan	Fordyce	Lewis M E	Roche	Sullivan W J
Bulkley	Gale	Lewis T D	Rodenbeck	Thorn
Burnett	Gallagher	Maher	Rogers	Torborg
Clark	Gardiner	Mangin	Rowe	Tripp
Collier	Gleason	Martin	Russell	Vincent
Collins	Gould	Mason	Sabine	Ware
Costello	Graham	McEwan	Sage H M	Whipple
Cottle	Green	McInerney	Sage S B	Wilson
Cotton	Greenwood	McKeown	Sanders	Wissel
Coughtry	Grossman	Meister	Sandford	Witter
Cowles	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1542) entitled "An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-sixth ward of the late city of Brooklyn" (Int. No. 194),

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Greenwood	McEwan	Sands
Allds	Darrison	Grossman	McInerney	Sawyer
Apgar	Davis	Guider	McKeown	Schmid F
Axtell	Dean	Hallock	McMillan	Schoeneck
Babcock	De Graw	Harburger	Meister	Sears
Baker	Delaney	Hatch	Meyer	Sharkey
Ball	Dillon	Hays	Mohring	Siems
Barrett	Doughty	Heller	Murphy	Slater
Bashford	Egan	Henderson	O'Connell	Sloane C A
Baum	Ellis	Henry	Palmer	Sloane J J
Bedell	Evarts	Hill	Paris	Smith J E
Beede	Fallows	Hitchcock	Phillips	Smith J T
Brennan E	CFancher	Hoffman	Pickett	Sprague
Brennan J	FFarrell	Hutton	Poth	Stoneman
Brewster	Finn	Johnson	Redington	Streifler
Bryan	Fish	Juengst	Riedman	Sullivan W J
Bulkley	Fitzgerald	Kane	Rierdon	Ten Eyck
Burnett	Fordyce	Kelley E E	Roberts	Torborg
Cain	Fowler	Kelsey	Rodenbeck	Trainor
Clark	Gale	Kullman	Rogers	Vincent
Collins	Gallagher	Lewis M E	Rowe	West
Costello	Gardiner	Lewis T D	Sabine	Whipple
Cottle	Gleason	Maher	Sage H M	Wingenfeld
Cotton	Gould	Mangin	Sage S B	Wissel
Coughtry	Graham	Martin	Sanders	Witter
Cowles	Green	Mazet	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1548) entitled "An act to establish an inferior local court of civil and criminal jurisdiction in the city of Binghamton, to be called the 'City Court of Binghamton'" (Int. No.

957), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	Meister	Schmid A F
Allds	Cowles	Hallock	Meyer	Schmid F
Apgar	Darrison	Harburger	Miles	Schoeneck
Axtell	Davis	Hatch	Mohring	Sears
Babcock	Dean	Hays	Murphy	Sharkey
Baker	De Graw	Heller	O'Connell	Siems
Ball	Delaney	Henry	Palmer	Slater
Barrett	Dillon	Hill	Paris	Sloane J J
Bashford	Egan	Hitchcock	Patton	Smith J E
Baum	Ellis	Hoffman	Pickett	Smith J T
Bedell	Evarts	Hutton	Post	Sprague
Beede	Fancher	Juengst	Poth	Stoneman
Boland	Farrell	Kane	Redington	Streifler
Brennan E C	Fish	Kelley E E	Riedman	Sullivan T P
Brennan J F	Fitzgerald	Kelsey	Rierdon	Sullivan W J
Brewster	Fordyce	Lewis M E	Roberts	Thorn
Brown	Fowler	Lewis T D	Roche	Torborg
Bryan	Gale	Litchard	Rodenbeck	Trainor
Bulkley	Gallagher	Maher	Rogers	Tripp
Burnett	Gardiner	Martin	Rowe	Ware
Cain	Gleason	Mason	Russell	West
Clark	Gould	Mazet	Sabine	Whipple
Collins	Graham	McEwan	Sage H M	Wingenfeld
Costello	Green	McInerney	Sage S B	Wissel
Cottle	Greenwood	McKeown	Sandford	Witter
Cotton	Grossman	McMillan	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1549) entitled "An act authorizing the credit and allowance of the claim of Michael Sheehan, against the city of New York, for his reasonable costs, counsel fees, and expenses

paid, in successfully defending himself against certain charges of which he was tried before the police commissioners of the city of New York" (Int. No. 1037), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McEwan	Sandford
Allds	Darrison	Guider	McInerney	Sawyer
Apgar	Davis	Hallock	McMillan	Schmid A F
Axtell	Dean	Harburger	Meister	Schmid F
Babcock	De Graw	Hatch	Meyer	Schoeneck
Baker	Delaney	Hays	Mohring	Sharkey
Ball	Dillon	Heller	O'Connell	Siems
Barrett	Doughty	Henderson	O'Connor	Sloane C A
Bashford	Dutton	Henry	Palmer	Sloane J J
Baum	Egan	Hill	Paris	Smith J T
Bedell	Ellis	Hoffman	Phillips	Snyder
Beede	Evarts	Hutton	Pickett	Stoneman
Boland	Fallows	Johnson	Post	Streifler
Brennan J	FFancher	Juengst	Redington	Sullivan T P
Brewster	Farrell	Kane	Riedman	Sullivan W J
Brown	Finn	Kelley E E	Rierdon	Thorn
Bryan	Fish	Kelly G T	Roche	Torborg
Bulkley	Fitzgerald	Kelsey	Rodenbeck	Trainor
Burnett	Fowler	Kullman	Rogers	Tripp
Cain	Gallagher	Lewis M E	Rowe	Vincent
Clark	Gardiner	Lewis T D	Russell	Ware
Collins	Gleason	Litchard	Sabine	Whipple
Costello	Gould	Maher	Sage H M	Wilson
Cotton	Graham	Mangin	Sage S B	Wingenfeld
Coughtry	Green	Martin	Sanders	Witter
Cowles	Greenwood	Mazet		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1524) entitled "An act to amend the Code of Civil Procedure, in relation to service of proceed by publication" (Int.

No. 162), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	McEwan	Sands
Aldds	Coughtry	Greenwood	McInerney	Sawyer
Apgar	Cowles	Grossman	McKeown	Schmid F
Axtell	Cross	Guider	Meister	Schoeneck
Babcock	Darrison	Hallock	Meyer	Sharkey
Baker	Dean	Harburger	Mohring	Siems
Ball	De Graw	Hatch	Murphy	Sloane C A
Barrett	Delaney	Hays	O'Connell	Sloane J J
Bashford	Dillon	Henderson	O'Connor	Smith J E
Baum	Doughty	Henry	Paris	Smith J T
Bedell	Dutton	Hill	Patton	Snyder
Beede	Egan	Hoffman	Phillips	Sprague
Boland	Ellis	Hutton	Pickett	Streifler
Brennan E O	Evarts	Juengst	Post	Sullivan T P
Brennan J F	Fancher	Kane	Redington	Sullivan W J
Brewster	Farrell	Kelley E E	Riedman	Ten Eyck
Brown	Finn	Kelsey	Roberts	Torborg
Bryan	Fitzgerald	Kullman	Rodenbeck	Trainor
Bulkley	Fordyce	Lewis M E	Rogers	Vincent
Burnett	Gale	Lewis T D	Rowe	Ware
Cain	Gallagher	Litchard	Russell	West
Clark	Gardiner	Maher	Sabine	Wilson
Collier	Gleason	Mangin	Sage H M	Wissel
Collins	Gould	Martin	Sanders	Witter
Cottle	Graham	Mazet	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1514) entitled "An act to amend section 4, article 1, chapter 592, Laws of 1897, entitled 'An act in relation to navigation, constituting chapter 30 of the general laws'" (Int. No. 1011), was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McEwan	Sands
Allds	Cowles	Grossman	McInerney	Sawyer
Apgar	Cross	Guider	McKeown	Schmid F
Axtell	Darrison	Hallock	McMillan	Schoeneck
Babcock	Davis	Harburger	Meister	Sears
Baker	Dean	Hatch	Meyer	Sharkey
Ball	De Graw	Hays	Miles	Slater
Barrett	Delaney	Heller	Mohring	Sloane J J
Bashford	Dillon	Henderson	O'Connell	Smith J E
Baum	Doughty	Hill	O'Connor	Smith J T
Bedell	Dutton	Hitchcock	Palmer	Sprague
Beede	Ellis	Hoffman	Patton	Stoneman
Boland	Evarts	Johnson	Phillips	Streifler
Brennan E C	Fallows	Juengst	Post	Sullivan T P
Brennan J F	Fancher	Kane	Poth	Ten Eyck
Brewster	Farrell	Kelley E E	Redington	Thorn
Brown	Finn	Kelsey	Riedman	Torborg
Bryan	Fish	Kullman	Rierdon	Trainor
Bulkley	Fitzgerald	Lewis M E	Roberts	Vincent
Burnett	Fordyce	Lewis T D	Rodenbeck	Ware
Cain	Gale	Litchard	Rogers	West
Clark	Gallagher	Maher	Rowe	Wilson
Collier	Gardiner	Mangin	Sabine	Wingenfeld
Collins	Gould	Martin	Sage H M	Wissel
Costello	Graham	Mason	Sage S B	Witter
Cottle	Green	Mazet	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1148) entitled "An act to amend the Village Law, in relation to the power of trustees to prescribe the width of tires on vehicles" (Int. No. 984), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	McMillan	Schmid F
Allds	Davis	Hallock	Meyer	Schoeneck
Apgar	Dean	Harburger	Miles	Sears
Axtell	De Graw	Hatch	Mohring	Sharkey
Babcock	Delaney	Hays	Murphy	Siems
Baker	Dillon	Heller	O'Connor	Slater
Ball	Doughty	Henry	O'Connell	Sloane C A
Barrett	Dutton	Hill	Palmer	Sloane J J
Bashford	Egan	Hitchcock	Paris	Smith J E
Baum	Ellis	Hoffman	Patton	Smith J T
Bedell	Evarts	Hutton	Phillips	Snyder
Beede	Fallows	Juengst	Pickett	Sprague
Boland	Fancher	Kane	Post	Stoneman
Brennan E C	Farrell	Kelley E E	Poth	Streifler
Brennan J F	Finn	Kelly G T	Redington	Sullivan T P
Brewster	Fish	Kelsey	Riedman	Sullivan W J
Brown	Fitzgerald	Kullman	Roberts	Ten Eyck
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Lewis T D	Rodenbeck	Torborg
Burnett	Gale	Litchard	Rogers	Tripp
Cain	Gallagher	Maher	Russell	Vincent
Clark	Gardiner	Mangin	Sabine	Ware
Collier	Gleason	Martin	Sage H M	West
Collins	Gould	Mason	Sage S B	Whipple
Cottle	Graham	Mazet	Sanders	Wilson
Cotton	Green	McEwan	Sandford	Wingenfeld
Coughtry	Greenwood	McInerney	Sands	Wissel
Cowles	Grossman	McKeown	Schmid A F	Witter
Cross				

Ordered, That the Clrk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Finn called up the Senate bill (No. 68) entitled "An act to ratify the opening of Wadsworth avenue, from Kingsbridge road, near One hundred and Seventy-third street, to Eleventh avenue, in the Twelfth ward of the city of New York, borough of Manhattan, and to provide for the cancellation

and refunding a part of the assessments for acquiring title thereto" (Rec. No. 98), heretofore laid aside on the order of second reading.

Said bill was read the second time.

On motion of Mr. Finn said bill was placed on the order of third reading.

On motion of Mr. Finn, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 127 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Mason	Sandford
Allds	Cross	Grossman	Mazet	Sawyer
Apgar	Darrison	Guider	McInerney	Schmid A F
Axtell	Davis	Hallock	McKeown	Schmid F
Babcock	De Graw	Harburger	McMillan	Schoeneck
Baker	Delaney	Hatch	Meyer	Sharkey
Ball	Dillon	Hays	Miles	Siems
Barrett	Doughty	Heller	Mohring	Slater
Bashford	Dutton	Henderson	O'Connell	Sloane J J
Baum	Egan	Henry	O'Connor	Smith J E
Bedell	Ellis	Hill	Paris	Snyder
Beede	Evarts	Hitchcock	Patton	Sprague
Boland	Fallows	Hoffman	Phillips	Stoneman
Brennan E O	Fancher	Hutton	Post	Sullivan T P
Brennan J F	Farrell	Johnson	Redington	Sullivan W J
Brewster	Finn	Juengst	Riedman	Ten Eyck
Brown	Fish	Kane	Rierdon	Torborg
Bryan	Fordyce	Kelley E E	Roche	Trainor
Bulkley	Fowler	Kelsey	Rodenbeck	Tripp
Burnett	Gale	Kullman	Rogers	Ware
Cain	Gallagher	Lewis M E	Russell	West
Clark	Gardiner	Lewis T D	Sabine	Whipple
Collier	Gleason	Litchard	Sage H M	Wingenfeld
Collins	Gould	Maher	Sage S B	Wissel
Costello	Graham	Martin	Sanders	Witter
Coughtry	Green			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. McMillan called up the bill (No. 799), entitled "An act to legalize the official action of Frank Davis, former sole commissioner of highways of the town of Rotterdam, Schenectady county and to authorize the issue of bonds for the payment of indebtedness by him incurred" (Int. No. 734), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. McMillan, said bill was laid aside and ordered stricken from the calendar.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fallows, Int. No. 1293, entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens constituting chapter 49 of the general laws, in relation to liens of hotel, inn, boarding and lodging house keepers' (No. 162), reported the same, with the following amendments, and requested that said bill be recommitted to said committee:

Page 2, lines 5 and six, put in brackets the words "when brought."

Same page, line 7, strike out the word "know" and insert the words "had notice."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Henry, Int. No. 1106, entitled "An act to amend chapter 179 of the general laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees' (No. 1349), reported the same, with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 2, at the end of section 1, insert the following: "Provided that in case territory to which this act is not applicable, shall at any time become incorporated with a city or village to which it shall then be applicable, this act shall not apply to such new territory until the day succeeding the next official primary day in September."

Page 4, line 9, after the word "third" strike out comma.

Page 5, line 3, insert a semicolon after the word "year."

Page 6, line 3, leave space before the word "Assembly."

Same page, line 19, omit the word "Republican" and the word "Democratic." Insert emblems on lines 20, 21 and 22 of same page.

Page 7, line 19, leave space before the word "Assembly."

Page 8, line 6, after the word "order," insert the words "opposite his name," and omit the same in line 7.

Same page, line 9, insert the word "books" instead of the word "book."

Same page, line 17, strike out the word "places" and insert space, also in same line insert the word "columns" instead of the word "column," and in same line, strike out the words "of the registration books."

Same page, line 18, insert a comma after the word "him."

Page 9, line 7, insert a semicolon after the word "box."

Same page, line 17, insert a semicolon after the word "broken."

Page 11, line 8, strike out the word "next."

Same page, line 16, strike out the word "first" and insert the word "fifteenth."

Same page, lines 19 and 20, strike out the words "or if it be impossible therefrom to determine the intention of the elector."

Page 12, line 6, insert a comma after the word "June."

Same page, line 15, strike out the comma before the word "in" and insert a comma after the word "resides."

Page 15, line 17, strike out the word "first" and insert the word "fifteenth."

Same page, line 24, strike out the word "first" and insert the word "fifteenth."

Page 17, line 4, after the word "enrolled" insert the following: "In case, in the interval between the days of registration and an official primary day in the succeeding year, a new election district shall be created or the boundaries of an election district, or the number of any ward, or assembly district, shall be changed, the custodian of primary records shall, within fifteen days thereafter, prepare two new enrollment books for such district, or properly renumber the enrollment books for such ward, or assembly district, which enrollment books shall be in the same form and exhibit the same facts as the enrollment books then in force in the territory comprised within such new or changed district, or renumbered ward or assembly district, but shall contain only the names of all the voters, who as shown by the enrollment books then in force in such territory are the enrolled voters of the respective political parties resident within such new or changed election district, or renumbered ward or

assembly district. And, in that event, such new enrollment books shall supercede the enrollment books then in force in such territory, and the custodian of primary records shall be charged with the same duties concerning the same and any duplicate set thereof or transcripts therefrom as are herein provided with respect to the enrollment books begun on the days of registration.

Page 18, line 10, strike out the word "supplementary."

Same page, line 11, strike out the word "after."

Page 30, line 25, after the word "elections" insert the following: "Provided, however, that in any county having within its limits a city of the first class whenever the two county committees therein representing respectively the parties which cast the highest and next highest number of votes for the office of governor in the state election next preceding shall together elect to hold two primaries, it shall be lawful so to do upon the following conditions: That one primary shall be held upon the annual primary day as herein above specified and shall be held for the purpose of electing delegates to conventions, to elect delegates to state conventions and to such other conventions as are made up of delegates representing said county and other counties also; and the other primary shall be held upon a day to be fixed by the two county committees acting in agreement, the second primary being held for the purpose of electing members of county and ward committees and delegates to conventions to nominate officers to be elected within any and all political subdivisions of the state over which the said county committees have jurisdiction in behalf of their respective parties. In the event of the two county committees elected to hold the two primaries as herein specified they shall jointly frame, sign and file a certificate with the custodian of primary records to that effect. The said second primary shall be an official primary and subject to all the conditions and provisions of law prescribed in this act governing the holding of a primary on an annual primary day."

Page 31, 15, underscore the word "March."

Page 33, line 12, strike out the word "officers."

Same page, line 16, strike out the word "twelve" and insert the word "two," also strike out the word "noon" and insert the words "in the afternoon."

Page 40, line 12, insert a comma after the word "past."

Page 49, line 8, after the word "election" insert the following: "On the day fixed by the rules and regulations of the party, the members of each county or general committee shall meet and organize. They may proceed to make and adopt rules and regulations, but unless so adopted, the rules or regulations adopted

by the last preceding county or general committee of said party in said county shall remain in full force and effect until repealed or amended in accordance with the provisions of this act. Members of committees shall be apportioned among the various units of representation entitled to representation therein according to the rule hereinafter prescribed for the apportionment of delegates to conventions."

Page 55, line 2, insert the word "conventions" instead of the word "convention."

Page 60, line 25, in brackets, strike out the figure "3" and insert the figure "4."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Grossman, Int. No. 939, entitled "An act to amend section 180 of chapter 24 of the general laws by reducing the organization tax" (No. 1091), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Wissel, Int. No. 883, entitled "An act to amend the laws relating to the taxation of cemetery lands" (No. 1002), reported in favor of the passage of the same, with the following amendments:

Page 3, line 17, after the word "class" strike out rest of line, also lines 18, 19 and 20, and the word "taxation" on line 21, same page, and insert in place thereof the words "may and shall be taxed in the manner hereinafter provided in this section but not otherwise."

ABRAM C. DE GRAW,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Martin, Int. No. 375, entitled "An act to amend the Tax Law, relating to exemptions from taxation of certain mortgages on agricultural

lands" (No. 390), reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, after the word "exceeding" strike out the word "five" and insert in place thereof the word "four."

ABRAM C. DE GRAW,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was recommitted the bill introduced by Mr. Grossman, Int. No. 493, entitled "An act to amend subdivision 16 of section 4, of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws'" (No. 520), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 133, entitled "An act to exempt from taxation certain real estate of the National Academy of Design, in the borough of Manhattan in the city of New York and to repeal chapter 324 of the Laws of 1866 and subdivision 3 of section 824 of chapter 410 of the Laws of 1882" (No. 725), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cotton, Int. No. 1201, entitled "An act in relation to the transfer of captains, sergeants, roundsmen, and patrolmen of the police force of the city of New York" (No. 1495), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. McKeown, Int. No. 1254, entitled "An act authorizing the board of estimate and apportionment of the city of New York, to take proof of the claim of

Michael Mullady, for certain work, labor and services alleged to have been done under the direction of Honorable John P. Adams, a commissioner of city works, of the late city of Brooklyn, and to allow and pay to said Michael Mullady, such compensation therefor, as it may deem just and proper" (No. 1577), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Mazet, Int. No. 886, entitled "An act to amend section 2 of chapter 644 of the Laws of 1897, entitled 'An act relative to the opening of a public place situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York'" (No. 1547), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Gallagher, Int. No. 755, entitled "An act to amend the Greater New York Charter, in relation to the appointment of a board of lunacy examiners" (No. 1546), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1168, entitled "An act to amend the charter of the city of Rochester, in relation to local improvements" (No. 1438), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Snyder, Int. No. 1262, entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to es-

tablish a city court therein and define its jurisdiction and powers' " (No. 1613), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill restored to its place on the order of third reading and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. W. J. Sullivan, Int. No. 924, entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government and disposition of the territory so annexed" (No. 1057), reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, after the word " the " insert the words " thirteenth ward of the."

Pages 2 and 3, strike out all of section 2 and insert the following:

"Section 2. Nothing in this act contained shall be so construed as to give to the First assembly district of Oneida county more than three members of the board of equalization of said county."

Page 4, lines 4 and 5, strike out the words " authorize the common council of said city " and insert in lieu thereof the words " be construed."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Ware, Int. No. 1305, entitled "An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid " (No. 1631), reported in favor of the passage of the same, with the following amendments:

Page 1, line 3, insert after the word " authorized," the word " and."

Same page, line 3, strike out the words " and directed."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Stranahan, Rec. No. 149, entitled "An act to amend the Greater New York charter, in relation to appropriations for charitable, eleemosynary, correctional or reformatory institutions" (No. 753), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 154, entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (No. 675), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Plunkitt, Rec. No. 162, entitled "An act to amend an act entitled 'An act for licensing and regulating bonds of auctioneers in cities of 1,000,000 and over,' passed May 22, 1897, relative to precedence of bonds, and limiting the time within which an action may be commenced thereon" (No. 849), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 151, entitled "An act to incorporate the city of New Rochelle" (No. 750), reported in favor of the passage of the same, without amendment, which report was agreed to.

On motion of Mr. Henderson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Henderson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES .00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Martin	Sharkey
Allds	Cowles	Guider	Mason	Siems
Apgar	Cross	Hallock	Mazet	Slater
Axtell	Darrison	Harburger	O'Connor	Sloane C A
Babcock	Davis	Hatch	Palmer	Sloane J J
Baker	Dean	Hays	Paris	Smith J E
Ball	DeGraw	Heller	Patton	Smith J T
Barrett	Delaney	Henderson	Phillips	Snyder
Bashford	Dillon	Henry	Pickett	Sprague
Baum	Doughty	Hill	Post	Stoneman
Bedell	Ellis	Hitchcock	Poth	Streifler
Beede	Evarts	Hoffman	Redington	Sullivan W J
Boland	Fallows	Hutton	Riedman	Ten Eyck
Brennan E C	Fancher	Johnson	Rodenbeck	Thorn
Brennan J F	Farrell	Juengst	Rogers	Torborg
Bryan	Finn	Kane	Rowe	Trainor
Bulkley	Fish	Kelley E E	Russell	Tripp
Burnett	Fitzgerald	Kelly G T	Sabine	Vincent
Cain	Fordyce	Kelsey	Sage H M	Ware
Clark	Fowler	Kullman	Sands	West
Collier	Gale	Lewis M E	Sawyer	Whipple
Collins	Gallagher	Lewis T D	Schmid A F	Wilson
Costello	Gardiner	Litchard	Schmid F	Wingenfeld
Cottle	Gleason	Maher	Schoeneck	Wissel
Cotton	Greenwood	Mangin	Sears	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Sears, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 161, entitled "An act to amend the Insurance Law relative to the merger or consolidation of fire insurance corporations" (No. 789), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Sears, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 137, entitled "An act to amend the Insurance Law relating to the reserve fund and limited payment policies of life insurance corporations on the stipulated premium plan" (No. 641), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Sears, from the committee on insurance, to which was referred the Senate bill introduced by Mr. Johnson, Rec. No. 135, entitled "An act to amend the Insurance Law relating to life insurance corporations on the stipulated premium plan" (No. 623), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. J. F. Smith, Int. No. 1209, entitled "An act to amend an act entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, New York,' passed April 23, 1869" (No. 1503), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. Graham, Int. No. 1046, entitled "An act to amend the Banking Law, relative to securities in which deposits in savings banks may be invested" (No. 1235), reported the same, with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 19, after the word "railroad" insert the word "corporation."

Page 3, line 4, after the word "railroad" strike out the word "corporations" and in place thereof insert the word "corporation."

Page 4, line 3, after the word "inches" insert the following: "Also in the first mortgage bonds of the Fonda, Johnstown and Gloversville Railroad Company, or in the mortgage bonds of

said railroad company of an issue to retire all prior mortgage debts of said railroad company, and provided the capital stock of said railroad company, shall equal or exceed in amount, one-third of the par value of all its bonded indebtedness."

JAMES B. McEWAN,

Chairman.

Which report was agreed to, and said bill ordered reprinted, and recommitted to said committee.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sprague, Int. No. 1300, entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county" (No. 1627), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hitchcock, Int. No. 1217, entitled "An act to amend chapter 677 of the Laws of 1894, entitled 'An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, New York'" (No. 1511), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Darison, Int. No. 1258, entitled "An act in relation to the election of county treasurer of Niagara county" (No. 1604), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hitchcock, Int. No. 670, entitled "An act declaring Spuyten Devil creek, Brant lake and Brant lake creek, tributaries of the Schroon river, in the county of Warren to be public highways, and providing for the assessment of damages to riparian owners thereof" (No. 735), reported in favor of the passage of the same, with the following amendment:

Page 2, line 18, after the word "employed" insert the words

“but nothing contained in this act shall contemplate the raising or lowering of the waters in Brant lake by the construction of dams or booms in said lake.”

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Bryan, Int. No. 1239, entitled “An act to authorize the town of Henderson in the county of Jefferson to acquire a site and construct a town hall thereon and to issue bonds therefor” (No. 1526), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was recommitted the bill introduced by Mr. Post, Int. No. 1294, entitled “An act to extend the time for the collection of taxes in the town of Babylon, in Suffolk county” (No. 1622), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. H. M. Sage, Int. No. 827, entitled “An act to amend chapter 115 of the Laws of 1841, in relation to the election of trustees” (No. 933), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter one hundred and fifteen of the laws of eighteen hundred and forty-one, in relation to the election of trustees.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter one hundred and fifteen of the laws of eighteen hundred and forty-one is hereby amended so as to read as follows:

§ 2. The said corporators shall constitute the board of trus-

tees who shall elect one of their number to be their president and, in case of the death, resignation or removal from the state of any of the said trustees, the owners of lots or plats in said cemetery [survivor or remainder] shall fill the vacancy or vacancies thus occasioned from the plat owners, at a meeting to be called by the president of said board of trustees by publishing a notice of the time and place in the city of Albany of the holding such meeting once in each of two successive weeks immediately preceding the date of such meeting in a daily newspaper published in the county of Albany. If at any such meeting two-fifths of the owners of lots or plats shall not, in person or by proxy, vote thereat, the trustees shall be chosen by the existing trustees or a majority of them. The lot or plat owners or proprietors or their proxies present to vote at such election shall choose from their number a chairman who shall preside thereat and a secretary who shall keep a record of the proceedings thereof, and tellers shall be in like manner chosen whose duty it shall be to receive and count the votes cast at such election. Any person of full age who shall be the owner or proprietor of a lot or plat in the cemetery of such association of not less than ninety-six square feet of land or if there be more than one owner or proprietor of such lot or plat then such one of the owners or proprietors as the majority of such joint owners or proprietors shall designate to represent such lot or plat may, at such election, either in person or by proxy give one vote for each lot or plat of not less than the dimensions aforesaid. And the owner or proprietor of more than one lot of said dimensions shall be entitled, either in person or by proxy, to cast one vote for each lot of said dimensions owned by him at such election; and where two or more plats or lots of said dimensions are owned jointly, said joint owners or proprietors may designate one of their number to cast their votes for them at such election, either in person or by proxy.

§ 2. Chapter one hundred and fifteen of the laws of eighteen hundred and forty-one is also amended by adding thereto a new section to be known as section nine.

§ 9. The said board of trustees shall during the month of January in each and every year make and file with the clerk of the county of Albany an annual report showing the financial condition of said association.

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 141, entitled "An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of Sweden, county of Monroe,' in relation to the jurisdiction of police justice" (No. 795), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 72, entitled "An act to provide for the payment by the town of Waterford of its portion of the paving of Broad street in said town" (No. 444), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after the word "Waterford" insert the words "Saratoga county."

Same page, line 4, after the word "Waterford" insert the words "in said town."

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Patton, Int. No. 791, entitled "An act to further amend section 1 of chapter 184 of the Laws of 1898, entitled 'An act relating to employees of the various villages, cities, and counties of the State,' relating to villages" (No. 879), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Henderson, Int. No. 1248, entitled "An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same" (No. 1571), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Henderson, Int. No. 1124, entitled "An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same" (No. 1381), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. West, Int. No. 1237, entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws'" (No. 1568), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Henderson, Int. No. 1123, entitled "An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the protection of the property in such village against fire and to provide a proper method and means of payment therefor" (No. 1380), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Henderson, Int. No. 1122, entitled "An act to authorize the macadamizing of streets, avenues, or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, Westchester county, and to provide the manner and means of paying therefor" (No. 1379), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Apgar, Int. No. 1295, entitled "An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village, and to issue bonds therefor" (No. 1623), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Murphy, from the committee on public education, to which was referred the bill introduced by Mr. Murphy, Int. No. 1230, entitled "An act for the registration of institutions and schools for the education of the blind, deaf mutes, and other defectives as educational institutions in the Department of Public Instruction, and to provide for their visitation and inspection by that department" (No. 1561) reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Murphy, from the committee on public education, to which was referred the bill introduced by Mr. Pickett, Int. No. 218, entitled "An act to amend the Consolidated School Law, relative to alternation of school commissioners' districts" (No. 218), reported in favor of the passage of the same, with the following amendments:

Page 1, line 4, after the word "the" strike out the word "alternation" and insert the word "alteration."

Same page, same line, strike out the word "special" and insert the word "school."

Line 1 of title, change the word "alternation" to "alteration."

Line 2 of title, after the word "school" strike out the word "commissioners" and insert after the word "district" the words "by commissioners."

RICHARD MURPHY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. C. A. Sloane, from the committee on public printing, to which was referred the resolution relative to the printing of

extra copies of a special Assembly committee, reported in favor of the adoption of the following resolution:

Resolved, That three thousand extra copies of the final report of the special committee of the Assembly to investigate the surrogate's court and office of the county of New York, together with the papers and exhibits accompanying the same, be printed for the use of the Assembly.

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McEwan	Sands
Allds	Cross	Hallock	McInerney	Sawyer
Apgar	Darrison	Hays	McKeown	Schmid A F
Axtell	Davis	Heller	McMillan	Schmid F
Babcock	De Graw	Henderson	Meister	Schoeneck
Baker	Delaney	Henry	Meyer	Sears
Ball	Dillon	Hill	Miles	Slater
Barrett	Doughty	Hitchcock	O'Connor	Sloane C A
Bashford	Dutton	Hoffman	Palmer	Sloane J J
Baum	Egan	Hutton	Paris	Smith J T
Bedell	Fallows	Johnson	Patton	Snyder
Beede	Fancher	Juengst	Phillips	Sprague
Boland	Farrell	Kane	Pickett	Stoneman
Brennan EC	Finn	Kelley E E	Post	Streifler
Brennan J F	Fish	Kelly G T	Poth	Sullivan T P
Brewster	Fitzgerald	Kelsey	Redington	Sullivan W J
Brown	Fordyce	Kullman	Riedman	Thorn
Bryan	Fowler	Lewis M E	Rogers	Torborg
Bulkley	Gale	Lewis T D	Rowe	Trainor
Burnett	Gleason	Litchard	Russell	Tripp
Collier	Gould	Maher	Sabine	Ware
Collins	Graham	Mangin	Sage H M	West
Costello	Green	Martin	Sage S B	Wingenfeld
Cottle	Greenwood	Mason	Sanders	Wissel
Cotton	Grossman	Mazet	Sandford	Witter
Coughtry				

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1618) entitled "An act to amend the Public

Health Law, in relation to the sale of domestic remedies " (Int. No. 1030), reported the same, without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1637) entitled "An act to further amend chapter 26 of the laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city relative to city funds, unpaid audits, over drafts and deficits ' " (Int. No. 982), reported the same, without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1620) entitled "An act to amend chapter 910 of the Laws of the year 1896, entitled 'An act to authorize the recovery of an assessment paid for a local improvement, which has been annulled ' " (Int. No. 761), reported the same, with the following recommendations:

Page 1, line 7, after the word " part " insert a comma.

Page 2, line 4, before the word " may " insert a comma.

Same page, line 8, after the word " shall " insert a comma.

Same page, line 9, before the words " be entitled " insert a comma.

Amend title as follows, after the word " annulled " insert the words " relative to assessments for local improvements. " "

WILLIAM L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1443) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof relative to fishing in Lake Ontario in Oswego county " (Int. No. 1173), reported the same, with the following recommendations:

Page 1, line 8, after the word "law" insert the following words: " as amended by chapter nine hundred and seventy-four of the laws of eighteen hundred and ninety-five."

Page 2, line 2, after the word " eight " insert a comma.

Same page, line 7, after the word " therein " strike out semicolon and insert in lieu thereof a comma.

Same page, line 8, after the word "thereof" strike out semi-colon and insert in lieu thereof a comma. Same line before the word "nor" insert the words "or of any island therein."

Same page, line 9, after the word "Ontario" insert a comma. Same line, after the word "therein" insert a comma.

Also amend the title by inserting a comma after the word "thereof" in the second line.

WILLIAM L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1531) entitled "An act to amend the Railroad Law, relative to when conductors and brakemen may be policemen" (Int. No. 1244), reported the same, with the following recommendations:

Page 2, line 4, after the word "appoint" insert a comma.

Same page, line 6, after the word "policeman" insert a comma.

Same page, line 7, after the word "proper" insert a comma.

Same page, line 26, before the word "corporation" strike out the word "the" and insert the word "any."

WILLIAM L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on printed and engrossed bills, reported as correctly printed and engrossed the bills entitled as follows:

"An act for the protection of public health, and to prevent mistakes in the handling of poison." (No. 1592, Int. No. 786.)

"An act to amend the Public Health Law, in relation to the commencement of actions and the disposition of penalties." (No. 1591, Int. No. 838.)

"An act to amend the Railroad Law, relative to grade crossings." (No. 1594, Int. No. 1097.)

"An act to provide for the appointment of a commissioner of records for the county of Kings." (No. 1593, Int. No. 759.)

"An act to amend section 2016 of the Code of Civil Procedure, relating to the writ of habeas corpus, and the writ of certiorari, to enquire into the cause of detention." (No. 1595, Int. No. 1042.)

"An act to amend the Town Law, exempting the counties of Niagara and Orleans from provisions thereof, relating to licensing hawkers and peddlers." (No. 1597, Int. No. 222.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to taking shad, herring and other fish in the Hudson and Delaware rivers, and other waters." (No. 1598, Int. No. 1118.)

"An act to amend subdivision 10 of section 4 of the Railroad Law, relative to mortgages of railroad corporations." (No. 1596, Int. 713.)

"An act to amend the Railroad Law, and to provide for the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State." (No. 1600, Int. No. 182.)

"An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws,' and the several acts amendatory thereof and supplemental thereto." (No. 1599, Int. No. 1166.)

"An act to amend the Greater New York charter, relating to offensive trades in the borough of Brooklyn." (No. 1614, Int. No. 1108.)

"An act to amend the Labor Law, relating to the duties of the factory inspector and the enforcement of the provisions of such law." (No. 1615, Int. No. 740.)

"An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws,' by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to be entitled sections 116 and 117." (No. 1616, Int. No. 802.)

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill, No. 254, entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little

Falls,' and the acts amendatory thereof" (Rec. No. 31), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend chapter 906 of the Laws of 1896, entitled 'An act to provide for a board of water commissioners in the city of Watervliet, and a proper supply of water for said city,' passed May 26, 1896." (No. 932, Int. No. 826.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watervliet.

"An act to provide for improvements of streets and highways in cities containing over 1,400,000 inhabitants." (No. 519, Int. No. 492.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to ratify and confirm the proceedings of the board of public works of the city of Poughkeepsie, in macadamizing a portion of Academy street in said city, and providing for re-assessing the expense thereof." (No. 704, Int. No. 474.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

"An act to amend chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the firemen's relief and pension fund." (No. 1217, Int. No. 1034.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

"An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira.'" (No. 550, Int. No. 106.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Elmira.

“An act to amend chapter 670 of the Laws of 1892, entitled ‘An act to amend chapter 578 of the Laws of 1870, entitled ‘An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy,’ and the acts amendatory of said chapter 598, and to consolidate into one act several of the acts amending the charter of, and other acts relating to the city of Troy and its departments, and to the inferior local courts therein,’ and the acts amendatory thereof and supplementary thereto, relating to the city of Troy.” (No. 1203, Int. No. 108.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

“An act to amend chapter 162 of the Laws of 1895, entitled ‘An act to provide for the construction and maintenance of a system of sewerage in the city of Ithaca,’ in relation to the bond of the treasurer.” (No. 498, Int. No. 478.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Ithaca.

“An act relative to the property of the Catholic Union of the city of Albany.” (No. 708, Int. No. 401.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

“An act relating to Saint Ann’s School of Industry, and Reformatory of the Good Shepherd, in the city of Albany and commitments thereto.” (No. 314, Int. No. 306.)

Ordered, That the Clerk deliver said bill to the Governor.

“An act to make the mayor of the city of Schenectady, ex-officio a member of the board of managers and of the executive committee of the Hospital Association of the City of Schenectady, a corporation created under and in pursuance of the Laws of the State of New York.” (No. 1048, Int. No. 915.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and

about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens and to provide for the government thereof," in relation to assessments for local improvements." (No. 713, Int. No. 145.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica' and the several acts amendatory thereof, relative to the duties and salaries of divers officers thereof, et cetera." (No. 1405, Int. No. 695.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Utica.

"An act to amend an act passed May 31, 1895, being chapter 832 of the Laws of 1895, entitled 'An act to amend an act entitled 'An act to amend and consolidate the several acts relative to the city of Schenectady passed April 21, 1862, and the several acts amendatory thereof.' " (No. 1049, Int. No. 916.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Schenectady.

"An act to repeal section 37 of chapter 486 of the Laws of 1869, entitled 'An act to incorporate the village of McGrawville, Cortland county,' relating to the highway poll tax." (No. 802, Int. No. 737.)

"An act to amend chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws,' in relation to requisite population necessary to incorporation." (No. 1068, Int. No. 625.)

"An act authorizing the State Engineer and Surveyor to continue to co-operate with the director of the United States Geological Survey in making a topographic survey and map of the State of New York and making an appropriation therefor." (No. 1157, Int. No. 993.)

"An act to amend chapter 305 of the Laws of 1891, entitled 'An act to revise, amend, and consolidate the several acts in relation to the village of Bath on the Hudson, and to revise and amend the charter, and to repeal certain acts and parts of acts.'" (No. 1258, Int. No. 824.)

“An act to repeal chapter 120 of the Laws of 1815, entitled ‘An act to incorporate the Montezuma Turnpike and Bridge Company,’ and all acts amendatory thereof or supplemental thereto.” (No. 1088, Int. No. 936.)

“An act to further amend chapter 888 of the Laws of 1869, entitled ‘An act to amend title 16, chapter 8, part 3 of the Revised Statutes, relative to proceedings for the draining of swamps, marshes and other low or wet lands, and for draining farm lands,’ and acts amendatory thereof and supplementary thereto.” (No. 603, Int. No. 231.)

“An act to amend the County Law relating to powers of boards of supervisors with reference to tires on vehicles.” (No. 693, Int. No. 647.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act in relation to the use of bicycles on sidepaths, for licensing bicycles, for the appointment of sidepath commissioners and to provide for the construction, maintenance, regulation, preservation and shading of sidepaths.” (No. 477, Assembly reprint No. 1534, Rec. No. 60.)

“An act to amend the Game Law, in relation to the hunting of hares and rabbits in certain counties.” (No. 494, Assembly reprint No. 1583, Rec. No. 66.)

Ordered, That the Clerk return said bills to the Senate.

On motion of Mr. Kelsey, the House adjourned.

MONDAY, MARCH 20, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Fallon.

On motion of Mr. Apgar, the reading of the journal of Friday, March 17, was dispensed with and the same was approved.

The bill (No. 1470) entitled “An act to amend an act entitled ‘An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,’ being chapter 376 of the Laws of

1896, in relation to auctions and auctioneers " (Int. No. 213), was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading.

On motion of Mr. Mazet, said bill was recommitted to the committee on the judiciary, retaining its place on the order of third reading.

The bill (No. 710) entitled " An act to amend title 5 of the Penal Code in relation to offenses against the Election Laws " (Int. No. 685), having been announced for a second reading.

On motion of Mr. Mazet, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1555) entitled " An act to amend an act in relation to the traffic in liquors and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws, being chapter 112 of the Laws of 1896, as amended by chapter 312 of the Laws of 1897 and legalizing elections thereunder " (Int. No. 1224), was read the second time.

On motion of Mr. Greenwood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 783) entitled " An act to secure proper sanitary conditions and proper ventilation in public buildings and school-houses " (Int. No. 718), having been announced for a second reading,

On motion of Mr. Collier, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1233) entitled " An act to amend chapter 469 of the Laws of 1898, entitled ' An act to protect navigation in certain tide waters within the State of New York ' " (Int. No. 1044), was read the second time.

On motion of Mr. Doughty, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1302) entitled " An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings " (Int. No. 1089), was read the second time.

On motion of Mr. Costello, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1252) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1063), having been announced for a second reading,

Mr. Sears moved to amend said bill as follows:

Page 2, line 11, strike out the word "quarterly" and insert in lieu thereof the word "monthly."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time, and on motion of Mr. Sears was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 1107) entitled "An act to amend the Membership Corporation Law, in relation to the erection of soldiers' monuments" (Int. No. 956), was read the second time.

On motion of Mr. Stoneman, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 711) entitled "An act to amend article 5 of the Executive Law relating to the Attorney-General" (Int. No. 686), having been announced for a second reading,

On motion of Mr. Mazet, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 42) entitled "An act to compel all subway companies to place on all manhole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes" (Int. No. 42), was read the second time.

On motion of Mr. Maher, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1513) entitled "An act to provide for a system of public docks and terminals in the State of New York, and to provide for a commission to superintend the construction and maintenance of the same" (Int. No. 1041), having been announced for a second reading,

On motion of Mr. E. C. Brennan, and by unanimous consent, said bill was made a special order on second reading for Thursday next immediately after the reading of the journal.

The bill (No. 1319) entitled "An act to amend the Banking

Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest " (Int. No. 175), having been announced for a second reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

The Senate bill (No. 504) entitled " An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Addison L. Upham against the State for damages alleged to have been sustained by him, and to render judgment therefor " (Rec. No. 92), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

The Senate bill (No. 691) entitled " An act to amend the Town Law in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898 " (Rec. No. 144), having been announced for a second reading,

Mr. Brown moved to amend said bill as follows:

Page 2, line 7, strike out the words " engaged in the manufacture of tinware and having a manufactory."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Bryan, said bill was ordered reprinted and placed on the order of third reading, and referred to the committee on revision.

The Senate bill (No. 693) entitled " An act to amend section 88 of chapter 908 of the Laws of 1896 known as the Tax Law relating to collectors bonds " (Rec. No. 148), was read the second time.

On motion of Mr. Boland, said bill was placed on the order of third reading.

The Senate bill (No. 751) entitled " An act to provide for enforcing the provisions of chapter 479 of the Laws of 1887, as amended by chapter 197 of the Laws of 1894, and chapter 570 of the Laws of 1895, and all acts amendatory thereof or supplementary thereto, and making an appropriation therefor " (Rec. No. 130), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading.

The bill (No. 1561) entitled "An act for the registration of institutions and schools for the education of the blind, deaf mutes, and other defectives as educational institutions in the department of public instruction, and to provide for their visitation and inspection by that department" (Int. No. 1230), having been announced for a second reading,

Mr. Allds moved that said bill be recommitted to the committee on public education, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1438) entitled "An act to amend the charter of the city of Rochester, in relation to local improvements" (Int. No. 1168), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1546) entitled "An act to amend the Greater New York Charter, in relation to the appointment of a board of lunacy examiners" (Int. No. 736), having been announced for a second reading,

On motion of Mr. Mazet, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1547) entitled "An act to amend section 2 of chapter 644 of the Laws of 1897, entitled 'An act relative to the opening of a public place situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York'" (Int. No. 886), was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1577) entitled "An act authorizing the board of estimate and apportionment of the city of New York, to take proof of the claim of Michael Mullady, for certain work, labor and services alleged to have been done under the direction of Honorable John P. Adams, a commissioner of city works, of the late city of

Brooklyn, and to allow and pay to said Michael Mullady, such compensation therefor, as it may deem just and proper " (Int. No. 1254), was read the second time.

On motion of Mr. McKeown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1495) entitled " An act in relation to the transfer of captains, sergeants, roundsmen and patrolmen of the police force of the city of New York " (Int. No. 1201), was read the second time.

On motion of Mr. Cotton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1091) entitled " An act to amend section 180 of chapter 24 of the general laws by reducing the organization tax " (Int. No. 939), having been announced for a second reading,

Mr. Allds moved to strike out the enacting clause.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

On motion of Mr. Allds, said bill was ordered stricken from the calendar.

The bill (No. 1379) entitled " An act to authorize the macadamizing of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor and in connection therewith, in the village of White Plains, Westchester county, and to provide the manner and means therefor " (Int. No. 1122), having been announced for a second reading,

On motion of Mr. Henderson, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1568) entitled " An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled ' An act relating to villages, constituting chapter 21 of the general laws ' " (Int. No. 1237), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1380) entitled " An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the pro-

tection of the property in such village against fire and to provide a proper method and means of payment therefor " (Int. No. 1123), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1627) entitled " An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county " (Int. No. 1300), was read the second time.

On motion of Mr. Sprague, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 879) entitled " An act to further amend section 1 of chapter 184 of the Laws of 1898, entitled ' An act relating to employees of the various villages, cities and counties of the State,' relating to villages " (Int. No. 791), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1571) entitled " An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same " (Int. No. 1248), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1381) entitled " An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same " (Int. No. 1124), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1511) entitled " An act to amend chapter 677 of the Laws of 1894, entitled ' An act authorizing William S. Tuttle

to raise and remove certain sunken vessels or boats from near the upper end of Lake George, New York ' ' (Int. No. 1217), was read the second time.

On motion of Mr. Hitchcock, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1604) entitled " An act in relation to the election of county treasurer of Niagara county " (Int. No. 1258), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 725) entitled " An act to exempt from taxation certain real estate of the National Academy of Design, in the borough of Manhattan in the city of New York, and to repeal chapter 324 of the Laws of 1866 and subdivision 3 of section 824 of chapter 410 of the Laws of 1882 " (Rec. No. 133), was read the second time.

On motion of Mr. Davis, said bill was placed on the order of third reading.

On motion of Mr. Davis, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hays	Murphy	Schoeneck
Allds	Darrison	Henderson	O'Connell	Sears
Apgar	Davis	Henry	O'Connor	Sharkey
Axtell	De Graw	Hill	Palmer	Siems
Babcock	Delaney	Hoffman	Paris	Sloane C A
Ball	Dillon	Hutton	Patton	Sloane J J
Barrett	Doughty	Johnson	Phillips	Smith J E
Bashford	Dutton	Kane	Pickett	Smith J T
Bedell	Ellis	Kelley E E	Poth	Snyder

Beede	Evarts	Kelly G T	Redington	Stoneman
Boland	Fallows	Kelsey	Riedman	Streifler
Brennan E C	Farrell	Kullman	Rierdon	Sullivan T P
Brewster	Finn	Lewis M E	Roberts	Sullivan W J
Brown	Fish	Lewis T D	Roche	Ten Eyck
Bryan	Fowler	Maher	Rodenbeck	Torborg
Bulkley	Gale	Mangin	Rogers	Trainor
Cain	Gallagher	Mason	Russell	Vincent
Clark	Gardiner	Mazet	Sabine	Tripp
Collier	Gleason	McEwan	Sage H M	Ware
Collins	Graham	McKeown	Sage S B	West
Costello	Green	McMillan	Sandford	Whipple
Cottle	Greenwood	Meister	Sands	Wilson
Cotton	Guider	Meyer	Sawyer	Wingenfeld
Coughtry	Hallock	Miles	Schmid A F	Witter
Cowles	Hatch	Mohring	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 789) entitled "An act to amend the Insurance Law relative to the merger or consolidation of fire insurance corporations" (Rec. No. 161), was read the second time.

On motion of Mr. Sears, said bill was placed on the order of third reading.

The Senate bill (No. 641) entitled "An act to amend the Insurance Law relating to the reserve fund and limited payment policies of life insurance corporations on the stipulated premium plan" (Rec. No. 137), was read the second time.

On motion of Mr. Sears, said bill was placed on the order of third reading.

The Senate bill (No. 623) entitled "An act to amend the Insurance Law relating to life insurance corporations on the stipulated premium plan" (Rec. No. 135), was read the second time.

On motion of Mr. Sears, said bill was placed on the order of third reading.

The Senate bill (No. 753) entitled "An act to amend the Greater New York Charter, in relation to appropriations for charitable, eleemosynary, correctional or reformatory institutions" (Rec. No. 149), was read the second time.

On motion of Mr. Costello, said bill was placed on the order of third reading.

The Senate bill (No. 849) entitled "An act to amend an act entitled 'An act for licensing and regulating bonds of auctioneers in cities of 1,000,000 and over,' passed May 22, 1897, relative to precedence of bonds, and limiting the time within which an action may be commenced thereon" (Rec. No. 162), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading.

The Senate bill (No. 675) entitled "An act to amend chapter 760 of the Laws of 1897, entitled 'An act to revise the charter of the city of Watertown'" (Rec. No. 154), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

On motion of Mr. Bryan, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	McMillan	Schmid A F
Allds	Darrison	Hatch	Meister	Schmid F
Apgar	Davis	Hays	Meyer	Schoeneck
Axtell	De Graw	Heller	Miles	Sharkey
Babcock	Delaney	Henderson	Mohring	Siems
Baker	Dillon	Henry	Murphy	Sloane C A
Ball	Doughty	Hill	O'Connell	Sloane J J
Barrett	Egan	Hitchcock	O'Connor	Smith J E
Bashford	Ellis	Hoffman	Palmer	Smith J T
Baum	Evarts	Hutton	Paris	Snyder
Bedell	Fancher	Johnson	Patton	Sprague
Beede	Farrell	Juengst	Phillips	Stoneman

Boland	Finn	Kane	Pickett	Streifler
Brennan E C	Fish	Kelley E E	Poth	Sullivan T P
Brennan J F	Fitzgerald	Kelly G T	Redington	Sullivan W J
Brewster	Fordyce	Kelsey	Riedman	Ten Eyck
Brown	Fowler	Kullman	Rierdon	Thorn
Bryan	Gale	Lewis M E	Roberts	Torborg
Bulkley	Gallagher	Lewis T D	Roche	Tripp
Cain	Gleason	Litchard	Rodenbeck	Vincent
Clark	Gould	Maher	Rowe	West
Collier	Graham	Mangin	Russell	Whipple
Costello	Green	Martin	Sage H M	Wilson
Cottle	Greenwood	Mason	Sage S B	Wingenfeld
Cotton	Grossman	Mazet	Sandford	Wissel
Coughtry	Guider	McEwan	Sands	Witter
Cowles	Hallock	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 795) entitled "An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of Sweden, county of Monroe,' in relation to the jurisdiction of police justice" (Rec. No. 141), was read the second time.

On motion of Mr. Gleason, said bill was placed on the order of third reading.

On motion of Mr. Gleason, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ A YES 130 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Schmid A F
Allds	Darrison	Harburger	Meyer	Schmid F
Axtell	Davis	Hatch	Miles	Schoeneck
Babcock	Dean	Hays	Murphy	Sears

Baker	De Graw	Heller	O'Connell	Sharkey
Ball	Delaney	Henderson	O'Connor	Siems
Barrett	Doughty	Henry	Palmer	Sloane C A
Bashford	Dutton	Hill	Paris	Sloane J J
Baum	Egan	Hoffman	Phillips	Smith J E
Bedell	Ellis	Hutton	Pickett	Smith J T
Beede	Evarts	Johnson	Post	Snyder
Boland	Fallows	Juengst	Redington	Sprague
Brennan E C	Fancher	Kane	Riedman	Streifler
Brennan J F	Farrell	Kelly G T	Rierdon	Sullivan T P
Brewster	Finn	Kelsey	Roberts	Sullivan W J
Bryan	Fish	Kullman	Roche	Ten Eyck
Bulkley	Fordyce	Lewis M E	Rodenbeck	Thorn
Burnett	Fowler	Litchard	Rogers	Torborg
Cain	Gale	Maher	Rowe	Tripp
Clark	Gallagher	Mangin	Sabine	Vincent
Collier	Gardiner	Martin	Sage H M	Ware
Collins	Gleason	Mason	Sage S B	West
Cottle	Gould	Mazet	Sanders	Wilson
Cotton	Graham	McInerney	Sandford	Wingenfeld
Coughtry	Green	McKeown	Sands	Wissel
Cowles	Grossman	McMillan	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1460) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the construction of sewers in the borough of Brooklyn and providing for the payment of the cost thereof by local assessment" (Int. No. 1024), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 20 }

Those who voted in the affirmative, were

Allds	Davis	Greenwood	Mazet	Sawyer
Axtell	De Graw	Guider	McInerney	Schoeneck
Babcock	Doughty	Hallock	McKeown	Sharkey
Baker	Dutton	Hatch	McMillan	Siems
Beede	Egan	Hays	Mohring	Slater
Brennan E C	Fallows	Henry	Paris	Smith J T
Brewster	Fancher	Hill	Patton	Snyder
Bryan	Farrell	Hoffman	Post	Sullivan T P
Burnett	Fish	Johnson	Riedman	Thorn
Cain	Fitzgerald	Juengst	Roberts	Torborg
Collier	Fordyce	Kelley E E	Rogers	Tripp
Collins	Fowler	Kelsey	Rowe	Vincent
Costello	Gale	Kullman	Russell	Ware
Cottle	Gallagher	Lewis M E	Sabine	West
Cotton	Gardiner	Lewis T D	Sage H M	Wilson
Coughtry	Gleason	Litchard	Sage S B	Wissel
Cowles	Graham	Mason	Sands	Witter
Darrison	Green			

Those who voted in the negative, were

Baum	Ellis	Mangin	Phillips	Sloane C A
Boland	Finn	Meister	Poth	Smith J E
Brennan J F	Harburger	O'Connell	Rierdon	Ten Eyck
Dillon	Maher	Palmer	Sanders	Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kelsey in the chair.

The bill (No. 1287) entitled "An act to provide for the better administration of justice in the town of Green Island, county of Albany" (Int. No. 1074), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McEwan	Schmid A F
Allds	Cowles	Greenwood	McKeown	Schmid F
Apgar	Cross	Grossman	McMillan	Sears
Axtell	Davis	Guider	Meister	Siems
Babcock	Dean	Hallock	Meyer	Slater
Baker	De Graw	Harburger	Mohring	Sloane C A
Ball	Delaney	Hatch	Murphy	Sloane J J
Barrett	Dillon	Hays	O'Connell	Smith J E
Bashford	Doughty	Heller	Palmer	Smith J T
Baum	Dutton	Henderson	Paris	Snyder
Bedell	Egan	Henry	Patton	Stoneman
Beede	Ellis	Hill	Pickett	Streifler
Boland	Evarts	Hitchcock	Post	Sullivan T P
Brennan E C	Fallows	Hutton	Redington	Sullivan W J
Brennan J F	Fancher	Juengst	Riedman	Ten Eyck
Brewster	Finn	Kane	Rierdon	Thorn
Brown	Fish	Kelley E E	Roberts	Torborg
Bryan	Fitzgerald	Kelsey	Roche	Trainor
Bulkley	Fordyce	Kullman	Rodenbeck	Tripp
Burnett	Fowler	Lewis M E	Rogers	Ware
Cain	Gale	Lewis T D	Rowe	West
Collier	Gallagher	Litchard	Russell	Wilson
Collins	Gardiner	Maher	Sage H M	Wingenfeld
Costello	Gleason	Mangin	Sanders	Wissel
Cottle	Gould	Mason	Sandford	Witter
Cotton	Graham	Mazet	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1614) entitled "An act to amend the Greater New York Charter, relating to offensive trades in the borough of Brooklyn" (Int. No. 1108), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hallock	McKeown	Sawyer
Allds	Dean	Harburger	McMillan	Schmid F
Apgar	De Graw	Hatch	Meyer	Schoeneck
Axtell	Delaney	Hays	Miles	Sears
Babcock	Dillon	Heller	Mohring	Sharkey
Baker	Doughty	Henderson	Murphy	Slater
Ball	Dutton	Henry	O'Connell	Sloane C A
Barrett	Egan	Hill	Palmer	Sloane J J
Bashford	Ellis	Hitchcock	Paris	Smith J T
Baum	Evarts	Hoffman	Patton	Snyder
Bedell	Fallows	Hutton	Pickett	Sprague
Beede	Fancher	Johnson	Post	Stoneman
Brennan E C	Farrell	Juengst	Poth	Sullivan T P
Brennan J F	Finn	Kane	Redington	Sullivan W J
Brewster	Fish	Kelly G T	Riedman	Thorn
Bryan	Fitzgerald	Kelsey	Rierdon	Torborg
Burnett	Fordyce	Kullman	Roberts	Trainor
Cain	Fowler	Lewis M E	Roche	Tripp
Clark	Gale	Lewis T D	Rodenbeck	Vincent
Collier	Gallagher	Litchard	Rowe	Ware
Collins	Gleason	Maher	Russell	Whipple
Cottle	Gould	Mangin	Sabine	Wilson
Cotton	Graham	Martin	Sage H M	Wingenfeld
Coughtry	Green	Mazet	Sage S B	Wissel
Cross	Grossman	McEwan	Sanders	Witter
Darrison	Guider	McInerney	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1593) entitled "An act to provide for the appointment of a commissioner of records for the county of Kings" (Int. No. 759), having been announced for a third reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on third reading for Thursday next immediately after the reading of the journal.

The bill (No. 1591) entitled "An act to amend the Public Health Law, in relation to the commencement of actions and the disposition of penalties" (Int. No. 838), was read the third time, having been printed and upon the desks of the members

in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Schoeneck
Allds	Darrison	Hallock	Meyer	Sears
Apgar	Davis	Harburger	Miles	Sharkey
Axtell	Dean	Hatch	Mohring	Siems
Babcock	De Graw	Hays	O'Connell	Slater
Baker	Delaney	Henderson	O'Connor	Sloane J J
Ball	Dillon	Henry	Paris	Smith J E
Barrett	Doughty	Hill	Patton	Smith J T
Bashford	Dutton	Hitchcock	Phillips	Snyder
Baum	Egan	Hoffman	Post	Sprague
Bedell	Ellis	Hutton	Poth	Stoneman
Beede	Evarts	Johnson	Riedman	Sullivan T P
Boland	Fallows	Kane	Rierdon	Sullivan W J
Brennan E C	Fancher	Kelley E E	Roberts	Ten Eyck
Brennan J F	Farrell	Kelsey	Roche	Thorn
Brewster	Finn	Kullman	Rodenbeck	Torborg
Brown	Fish	Lewis M E	Rogers	Trainor
Bryan	Fitzgerald	Lewis T D	Rowe	Tripp
Burnett	Fowler	Litchard	Russell	Vincent
Clark	Gale	Maher	Sage H M	Ware
Collier	Gallagher	Martin	Sage S B	Whipple
Costello	Gleason	Mason	Sanders	Wilson
Cottle	Gould	Mazet	Sands	Wingenfeld
Cotton	Graham	McEwan	Sawyer	Wissel
Coughtry	Green	McInerney	Schmid A F	Witter
Cowles	Greenwood	McKeown		

In the negative,

Cain

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1592) entitled "An act for the protection of pub-

lic health, and to prevent mistakes in the handling of poison" (Int. No. 786), having been announced for a third reading,

On motion of Mr. Fordyce, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1594) entitled "An act to amend the Railroad Law, relative to grade crossings" (Int. No. 1097), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McEwan	Sands
Allds	Cowles	Grossman	McInerney	Sawyer
Apgar	Cross	Guider	McKeown	Schmid A F
Axtell	Darrison	Hallock	McMillan	Schmid F
Babcock	Davis	Harburger	Meyer	Schoeneck
Baker	Dean	Hatch	Miles	Sears
Ball	De Graw	Heller	Murphy	Sharkey
Barrett	Delaney	Henderson	O'Connell	Siems
Bashford	Dillon	Henry	O'Connor	Slater
Baum	Doughty	Hill	Paris	Sloane J J
Bedell	Dutton	Hitchcock	Patton	Smith J E
Beede	Egan	Hoffman	Phillips	Snyder
Boland	Ellis	Hutton	Pickett	Sprague
Brennan E C	Evarts	Johnson	Post	Stoneman
Brennan J F	Fallows	Juengst	Redington	Sullivan T P
Brewster	Fancher	Kane	Rierdon	Sullivan W J
Brown	Farrell	Kelley E E	Roberts	Ten Eyck
Bryan	Finn	Kelsey	Roche	Torborg
Bulkley	Fish	Kullman	Rodenbeck	Trainor
Burnett	Fitzgerald	Lewis M E	Rogers	Vincent
Clark	Fordyce	Lewis T D	Russell	Ware
Collier	Gale	Litchard	Sabine	West
Collins	Gallagher	Maher	Sage H M	Wilson
Costello	Gardiner	Martin	Sage S B	Wissel

Cottle	Gleason	Mason	Sanders	Witter
Cotton	Graham	Mazet	Sandford	

In the negative,
Green

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1597) entitled "An act to amend the Town Law, exempting the counties of Niagara and Orleans from provisions thereof, relating to licensing hawkers and peddlers" (Int. No. 222), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	125	}
{	NOES	3	}

Those who voted in the affirmative, were

Adler	Cowles	Green	McEwan	Schoeneck
Allds	Cross	Greenwood	McInerney	Sears
Apgar	Davis	Grossman	McKeown	Sharkey
Axtell	Dean	Hallock	McMillan	Siems
Babcock	De Graw	Harburger	Meister	Sloane C A
Baker	Delaney	Hatch	Miles	Sloane J J
Ball	Dillon	Hays	Paris	Smith J E
Barrett	Doughty	Henderson	Patton	Snyder
Bashford	Dutton	Hill	Phillips	Sprague
Baum	Egan	Hitchcock	Post	Stoneman
Beede	Ellis	Hutton	Redington	Streifler
Brennan E C	Evarts	Johnson	Riedman	Sullivan T P
Brennan J F	Fallows	Juengst	Rierdon	Sullivan W J
Brewster	Fancher	Kane	Roberts	Ten Eyck
Brown	Farrell	Kelly G T	Rodenbeck	Torborg
Bryan	Finn	Kelsey	Rogers	Trainor
Bulkley	Fish	Kullman	Rowe	Tripp
Cain	Fordyce	Lewis M E	Russell	Vincent
Clark	Fowler	Lewis T D	Sage H M	Ware
Collier	Gale	Litchard	Sage S B	West
Collins	Gallagher	Maher	Sanders	Whipple

Costello	Gardiner	Mangin	Sands	Wilson
Cottle	Gleason	Martin	Sawyer	Wingenfeld
Cotton	Gould	Mason	Schmid A F	Wissel
Coughtry	Graham	Mazet	Schmid F	Witter

Those who voted in the negative, were

Darrison Palmer Pickett

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1596) entitled "An act to amend subdivision 10 of section 4 of the Railroad Law, relative to mortgages of railroad corporations" (Int. No. 713), having been announced for a third reading,

On motion of Mr. Green, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1595) entitled "An act to amend section 2016 of the Code of Civil Procedure, relating to the writ of habeas corpus and the writ of certiorari, to enquire into the cause of detention" (Int. No. 1042), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 130 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sanders
Allds	Darrison	Hallock	Meyer	Sandford
Apgar	Davis	Harburger	Miles	Sands
Axtell	Dean	Hays	Mohring	Schmid A F
Babcock	De Graw	Heller	Murphy	Schmid F
Baker	Delaney	Henry	O'Connell	Schoeneck
Ball	Doughty	Hill	O'Connor	Sharkey
Barrett	Dutton	Hitchcock	Palmer	Siems
Bashford	Egan	Hoffman	Paris	Slater
Bedell	Ellis	Hutton	Patton	Sloane C A
Beede	Fallows	Johnson	Phillips	Sloane J J
Boland	Fancher	Juengst	Pickett	Smith J E

Brennan E C	Farrell	Kane	Post	Snyder
Brennan J F	Finn	Kelley E E	Poth	Sprague
Brewster	Fish	Kelsey	Redington	Stoneman
Brown	Fordyce	Kullman	Riedman	Streifler
Bryan	Fowler	Lewis M E	Rierdon	Sullivan W J
Bulkley	Gale	Lewis T D	Roberts	Thorn
Burnett	Gallagher	Litchard	Roche	Torborg
Clark	Gardiner	Maher	Rodenbeck	Trainor
Collier	Gleason	Martin	Rogers	Tripp
Collins	Gould	Mason	Rowe	Vincent
Costello	Graham	Mazet	Russell	Ware
Cotton	Green	McInerney	Sabine	Whipple
Coughtry	Greenwood	McKeown	Sage H M	Wingenfeld
Cowles	Grossman	McMillan	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1598) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to taking shad, herring and other fish in the Hudson and Delaware rivers and other waters" (Int. No. 1118), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	Miles	Schmid A F
Allds	Cowles	Hallock	Mohring	Schoeneck
Apgar	Cross	Harburger	Murphy	Sears
Axtell	Davis	Hatch	O'Connell	Sharkey
Babcock	Dean	Hays	O'Connor	Slater
Baker	De Graw	Henderson	Palmer	Sloane C A
Ball	Delaney	Henry	Paris	Sloane J J
Barrett	Doughty	Hitchcock	Patton	Smith, J E
Bashford	Dutton	Hoffman	Phillips	Smith J T
Baum	Egan	Hutton	Pickett	Snyder
Bedell	Ellis	Juengst	Post	Sprague

Beede	Evarts	Kelly G T	Poth	Stoneman
Boland	Fallows	Kelsey	Redington	Streifler
Brennan E C	Fancher	Kullman	Riedman	Sullivan T P
Brennan J F	Farrell	Lewis M E	Rierdon	Sullivan W J
Brown	Finn	Lewis T D	Roche	Thorn
Bryan	Fish	Litchard	Rodenbeck	Torborg
Bulkley	Fitzgerald	Maher	Rogers	Trainor
Burnett	Fordyce	Mangin	Rowe	Tripp
Cain	Gale	Martin	Sabine	Vincent
Clark	Gallagher	Mason	Sage H M	Ware
Collier	Gardiner	Mazet	Sage S B	West
Collins	Gleason	McInerney	Sanders	Wilson
Costello	Gould	McKeown	Sandford	Wingenfeld
Cottle	Graham	McMillan	Sands	Wissel
Cotton	Green	Meister	Sawyer	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1615) entitled "An act to amend the Labor Law, relating to the duties of the factory inspector and the enforcement of the provisions of such law" (Int. No. 740), having been announced for a third reading,

Mr. Maher moved that said bill be recommitted to the committee on labor and industries, with instructions to report the same forthwith amended as follows:

Page 5, line 21, strike out the word "six" and insert the word "eight."

Same page, line 22, strike out the word "nine" and insert the word "six."

Same page, line 23, strike out the word "ten" and insert the word "nine;" also strike out the word "sixty" and insert the word "fifty-four."

Page 6, line 1, strike out the word "ten" and insert the word "nine."

On motion of Mr. Allds, and by unanimous consent, said bill, together with said amendments, was made a special order on third reading for to-morrow, immediately after the reading of the journal.

The bill (No. 1616) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws,' by amending sections 2, 61, 110 and 113 thereof, and by adding thereto new sections to

be entitled sections 116 and 117 " (Int. No. 802), having been announced for a third reading,

On motion of Mr. Schmid, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1599) entitled " An act to amend chapter 415 of the Laws of 1897, entitled ' An act in relation to labor, constituting chapter 32 of the general laws,' and the several acts amendatory thereof and supplemental thereto " (Int. No. 1166), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 147 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid A F
Allds	Davis	Hatch	Miles	Schmid F
Apgar	Dean	Hays	Mohring	Schoeneck
Axtell	De Graw	Heller	Murphy	Sears
Babcock	Delaney	Henderson	O'Connell	Sharkey
Baker	Dillon	Henry	O'Connor	Siems
Ball	Doughty	Hitchcock	Palmer	Slater
Barrett	Dutton	Hoffman	Paris	Sloane C A
Bashford	Egan	Hutton	Patton	Sloane J J
Baum	Ellis	Johnson	Phillips	Smith J E
Bedell	Evarts	Juengst	Pickett	Smith J T
Beede	Fallows	Kane	Post	Snyder
Boland	Fancher	Kelley E E	Poth	Sprague
Brennan E C	Farrell	Kelly G T	Redington	Stoneman
Brennan J F	Finn	Kelsey	Riedman	Streifler
Brewster	Fish	Kullman	Rierdon	Sullivan T P
Brown	Fitzgerald	Lewis M E	Roberts	Sullivan W J
Bryan	Fordyce	Lewis T D	Roche	Ten Eyck
Bulkley	Fowler	Litchard	Rodenbeck	Thorn
Burnett	Gale	Maher	Rogers	Torborg
Cain	Gallagher	Mangin	Rowe	Trainor
Clark	Gardiner	Martin	Russell	Tripp
Collier	Gleason	Mason	Sabine	Vincent

Collins	Gould	Mazet	Sage H M	Ware
Costello	Graham	McEwan	Sage S B	Whipple
Cottle	Green	McInerney	Sanders	Wilson
Cotton	Greenwood	McKeown	Sandford	Wingenfeld
Coughtry	Grossman	McMillan	Sands	Wissel
Cowles	Guider	Meister	Sawyer	Witter
Cross	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1600) entitled "An act to amend the Railroad Law, and to provide for the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State" (Int. No. 182), having been announced for a third reading,

On motion of Mr. Rogers, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 379) entitled "An act to amend chapter 547 of the Laws of 1896, entitled 'An act relating to real property constituting chapter 46 of the general laws'" (Rec. No. 70), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McKeown	Schmid A F
Allds	Cross	Hallock	McMillan	Schmid F
Apgar	Darrison	Harburger	Meister	Schoeneck
Axtell	Davis	Hatch	Miles	Sears
Babcock	Dean	Hays	Mohring	Sharkey
Baker	De Graw	Heller	Murphy	Siems
Ball	Delaney	Henry	O'Connell	Sloane O A
Barrett	Dillon	Hill	O'Connor	Sloane J J
Bashford	Doughty	Hitchcock	Paris	Smith J E
Baum	Dutton	Hoffman	Patton	Smith J T
Bedell	Egan	Hutton	Phillips	Sprague

Beede	Ellis	Johnson	Pickett	Stoneman
Boland	Fallows	Juengst	Post	Streifler
Brennan E C	Fancher	Kane	Redington	Sullivan T P
Brennan J F	Farrell	Kelley E E	Riedman	Sullivan W J
Brewster	Finn	Kelly G T	Roberts	Ten Eyck
Brown	Fish	Kelsey	Roche	Thorn
Bryan	Fordyce	Kullman	Rodenbeck	Torborg
Bulkley	Fowler	Lewis M E	Rogers	Trainor
Burnett	Gale	Lewis T D	Rowe	Tripp
Cain	Gallagher	Litchard	Russell	Vincent
Clark	Gardiner	Maher	Sage H M	West
Collier	Gleason	Mangin	Sage S B	Whipple
Collins	Gould	Martin	Sanders	Wilson
Costello	Graham	Mazet	Sandford	Wingenfeld
Cotton	Green	McEwan	Sands	Wissel
Coughtry	Grossman	McInerney	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 530) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to hares and rabbits" (Rec. No. 101), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meyer	Sears
Allds	Dean	Hallock	Miles	Siems
Apgar	De Graw	Harburger	Mohring	Slater
Axtell	Delaney	Hatch	Murphy	Sloane C A
Babcock	Dillon	Heller	O'Connell	Sloane J J
Baker	Doughty	Henry	O'Connor	Smith J E
Ball	Dutton	Hill	Palmer	Smith J T
Barrett	Egan	Hoffman	Paris	Snyder
Bashford	Ellis	Hutton	Phillips	Stoneman
Baum	Evarts	Juengst	Pickett	Streifler

Beede	Fallows	Kane	Post	Sullivan T P
Boland	Farrell	Kelley E E	Redington	Sullivan W J
Brennan E C	Finn	Kelly G T	Riedman	Ten Eyck
Brennan J F	Fish	Kelsey	Roberts	Thorn
Brown	Fitzgerald	Kullman	Rogers	Torborg
Bryan	Fordyce	Lewis M E	Rowe	Trainor
Bulkley	Fowler	Lewis T D	Sabine	Tripp
Cain	Gale	Litchard	Sage H M	Vincent
Clark	Gallagher	Maher	Sage S B	Ware
Collier	Gardiner	Mangin	Sanders	West
Collins	Gleason	Martin	Sandford	Whipple
Cottle	Gould	Mason	Sawyer	Wilson
Cotton	Graham	McEwan	Schmid A F	Wingenfeld
Coughtry	Green	McInerney	Schmid F	Wissel
Cowles	Greenwood	McKeown	Schoeneck	Witter
Cross	Grossman	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 172) entitled "An act to amend the Town Law, relative to change by towns of the time of holding town meetings" (Rec. No. 143), having been announced for a third reading,

On motion of Mr. Bryan, and by unanimous consent, said bill was ordered placed on the third reading calendar for Tuesday next.

The Senate bill (No. 508) entitled "An act to amend section 31 of chapter 686 of the Laws of 1892 known as the County Law, relative to location of county buildings" (Rec. No. 129), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	De Graw	Henry	O'Connell	Sears
Allds	Delaney	Hill	O'Connor	Sharkey
Appgar	Dillon	Hitchcock	Paris	Siems

Axtell	Doughty	Hoffman	Patton	Slater
Babcock	Dutton	Johnson	Phillips	Sloane C A
Ball	Egan	Juengst	Post	Sloane J J
Barrett	Ellis	Kane	Poth	Smith J E
Baum	Fallows	Kelley E E	Redington	Smith J T
Beede	Fancher	Kelly G T	Riedman	Snyder
Boland	Farrell	Kelsey	Rierdon	Sprague
Brennan J F	Finn	Kullman	Roberts	Stoneman
Brown	Fish	Lewis M E	Roche	Streifler
Bryan	Fitzgerald	Lewis T D	Rodenbeck	Sullivan T P
Bulkley	Fordyce	Litchard	Rogers	Sullivan W J
Burnett	Fowler	Maher	Rowe	Ten Eyck
Cain	Gale	Mangin	Russell	Torborg
Clark	Gallagher	Mason	Sabine	Trainor
Collier	Gardiner	Mazet	Sage H M	Tripp
Costello	Gould	McEwan	Sage S B	Vincent
Cottle	Graham	McInerney	Sanders	Ware
Cotton	Green	McKeown	Sandford	West
Coughtry	Greenwood	McMillan	Sands	Whipple
Cowles	Guider	Meister	Sawyer	Wilson
Cross	Hallock	Meyer	Schmid A F	Wingenfeld
Darrison	Hatch	Miles	Schmid F	Wissel
Davis	Hays	Mohring	Schoeneck	Witter
Dean	Heller	Murphy		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 366) entitled "An act authorizing the commissioners of the land office to grant letters patent to John W. Burdick of certain lands" (Rec. No. 113), having been announced for a third reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 129) entitled "An act to amend the Domestic Relations Law, relating to the appointment of guardians by parents" (Rec. No. 115), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McMillan	Schmid F
Allds	Darrison	Guider	Meister	Schoeneck
Apgar	Davis	Hallock	Miles	Sharkey
Axtell	Dean	Harburger	Mohring	Siems
Babcock	De Graw	Hatch	Murphy	Slater
Baker	Delaney	Hays	O'Connor	Sloane C A
Ball	Dillon	Heller	Palmer	Smith J E
Barrett	Doughty	Henderson	Paris	Smith J T
Bashford	Dutton	Henry	Patton	Snyder
Baum	Egan	Hill	Phillips	Sprague
Bedell	Ellis	Hitchcock	Pickett	Stoneman
Beede	Evarts	Hutton	Post	Streifler
Boland	Fallows	Johnson	Poth	Sullivan T P
Brennan E C	Fancher	Juengst	Redington	Sullivan W J
Brennan J F	Farrell	Kelley E E	Riedman	Ten Eyck
Brown	Finn	Kelly G T	Rierdon	Thorn
Bryan	Fish	Kelsey	Roberts	Torborg
Bulkley	Fitzgerald	Kullman	Rodenbeck	Trainer
Burnett	Fordyce	Lewis M E	Rogers	Tripp
Cain	Fowler	Lewis T D	Rowe	Vincent
Clark	Gale	Litchard	Russell	Ware
Collier	Gallagher	Maher	Sabine	West
Collins	Gardiner	Mangin	Sage H M	Whipple
Costello	Gleason	Martin	Sage S B	Wilson
Cottle	Gould	Mason	Sandford	Wingenfeld
Cotton	Graham	Mazet	Sands	Wissel
Coughtry	Green	McInerney	Sawyer	Witter
Cowles	Greenwood	McKeown	Schmid A F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 533) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Robert Strong and Frederick Hahn, Clarence C. Race, John C. Granger and James H. Hawkins against the State of New York, for personal injuries growing out of an explosion of naphtha, which occurred at the capitol in the city of Albany, New York, on or about the 25th day of May, 1898 and render judgment therefor"

(Rec. No. 74), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McKeown	Sands
Allds	Cross	Hallock	McMillan	Schmid A F
Apgar	Darrison	Harburger	Meister	Schmid F
Axtell	Davis	Hatch	Meyer	Sears
Babcock	Dean	Hays	Miles	Sharkey
Baker	De Graw	Heller	Mohring	Siems
Ball	Delaney	Henderson	O'Connell	Slater
Barrett	Dillon	Henry	O'Connor	Sloane C A
Bashford	Dutton	Hill	Palmer	Sloane J J
Baum	Egan	Hitchcock	Paris	Smith J E
Bedell	Ellis	Hoffman	Patton	Snyder
Beede	Evarts	Hutton	Phillips	Sprague
Boland	Fallows	Juengst	Pickett	Stoneman
Brennan E C	Fancher	Kane	Post	Streifler
Brennan J F	Farrell	Kelley E E	Poth	Sullivan T P
Brewster	Finn	Kelly G T	Redington	Sullivan W J
Brown	Fish	Kelsey	Riedman	Ten Eyck
Bryan	Fitzgerald	Kullman	Rierdon	Thorn
Bulkley	Fordyce	Lewis M E	Roberts	Torborg
Burnett	Fowler	Lewis T D	Roche	Trainor
Cain	Gale	Litchard	Rodenbeck	Vincent
Clark	Gallagher	Maher	Rogers	Ware
Collier	Gardiner	Mangin	Rowe	West
Collins	Gleason	Martin	Russell	Whipple
Costello	Gould	Mason	Sabine	Wilson
Cottle	Graham	Mazet	Sage S B	Wingenfeld
Cotton	Greenwood	McEwan	Sanders	Wissel
Coughtry	Grossman	McInerney	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker resumed the chair.

The Senate bill (No. 188) entitled "An act to provide a board of park commissioners in and for the city of Yonkers, and for the laying out and opening of one or more public parks in said city, and for the improvement and maintenance of said public park or parks" (Rec. No. 79), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears
Axtell	DeGraw	Henderson	Murphy	Sharkey
Babcock	Delaney	Henry	O'Connell	Siems
Baker	Doughty	Hill	Palmer	Slater
Ball	Dutton	Hitchcock	Paris	Sloane C A
Barrett	Egan	Hutton	Patton	Smith J E
Bashford	Ellis	Johnson	Phillips	Smith J T
Baum	Evarts	Juengst	Pickett	Snyder
Bedell	Fallows	Kane	Post	Sprague
Beede	Fancher	Kelley E E	Poth	Stoneman
Boland	Farrell	Kelly G T	Riedman	Streifler
Brennan E C	Finn	Kelsey	Rierdon	Sullivan T P
Brennan J F	Fish	Kullman	Roberts	Sullivan W J
Brewster	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bryan	Fordyce	Lewis T D	Rodenbeck	Thorn
Bulkley	Fowler	Litchard	Rogers	Torborg
Burnett	Gale	Maher	Rowe	Trainor
Cain	Gallagher	Mangin	Russell	Tripp
Clark	Gardiner	Martin	Sabine	Vincent
Collier	Gleason	Mason	Sage H M	Ware
Collins	Graham	Mazet	Sage S B	West
Costello	Green	McEwan	Sanders	Whipple
Cotton	Greenwood	McInerney	Sandford	Wilson
Coughtry	Grossman	McKeown	Sands	Wingenfeld
Cowles	Guider	McMillan	Sawyer	Wissel
Cross	Hallock	Meister	Schmid A F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 149) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Rec. No. 78), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	De Graw	Hays	Miles	Schmid F
Allds	Delaney	Heller	Mohring	Schoeneck
Apgar	Dillon	Henderson	Murphy	Sears
Axtell	Doughty	Henry	O'Connell	Sharkey
Babcock	Dutton	Hill	O'Connor	Siems
Baker	Egan	Hitchcock	Palmer	Slater
Ball	Ellis	Hoffman	Paris	Sloane C A
Barrett	Evarts	Hutton	Patton	Sloane J J
Bashford	Fallows	Johnson	Phillips	Smith J E
Baum	Fancher	Juengst	Pickett	Smith J T
Bedell	Farrell	Kane	Post	Snyder
Beede	Finn	Kelley E E	Poth	Sprague
Boland	Fish	Kelly G T	Redington	Stoneman
Brennan E O	Fitzgerald	Kelsey	Riedman	Streifler
Brewster	Fordyce	Kullman	Rierdon	Sullivan T P
Brown	Fowler	Lewis M E	Roberts	Sullivan W J
Bryan	Gale	Lewis T D	Roche	Ten Eyck
Bulkley	Gallagher	Itchard	Rodenbeck	Thorn
Burnett	Gardiner	Maher	Rogers	Torborg
Cain	Gleason	Mangin	Rowe	Trainor
Collier	Gould	Martin	Russell	Tripp
Costello	Graham	Mason	Sabine	Ware
Cottle	Green	Mazet	Sage H M	West
Cotton	Greenwood	McEwan	Sanders	Whipple
Coughtry	Grossman	McInerney	Sandford	Wilson
Cowles	Guider	McKeown	Sands	Wingenfeld

Cross	Hallock	McMillan	Sawyer	Wissel
Darrison	Harburger	Meister	Schmid A F	Witter
Davis	Hatch	Meyer		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Finn moved to take from the table the resolution offered by him March 17, in words following:

Resolved, That a respectful message be sent to the Senate requesting the return to the Assembly of Assembly bill No. 1227, Int. No. 592, entitled "An act to regulate the use of certain slips, piers and wharves on the East river in the city of New York."

Mr. Speaker.—The Chair will hold that no discussion of this bill is in order at this time; a motion to lay upon the table or take from the table is not debatable. If the gentleman desires to go into the merits of the bill, the Chair could not recognize him for that purpose.

Mr. McKeown.—I submit to the Speaker as to whether or not the motion to reconsider a vote by which that bill passed should be at this time reconsidered, no motion having been made at the time. Now, a motion to reconsider must be made on the day on which action was taken on the bill or on the next legislative day. That bill was acted on on Thursday; Friday was the next day and no notice was received.

Mr. Finn.—Motion was made——

Mr. McKeown.—Now, just a minute. That motion not having been made——

Mr. Finn.—Not to reconsider—to recall——

Mr. McKeown.—Motion to reconsider has not been made. I will raise that point of order—no objection to the bill going back. That is all.

Mr. Speaker.—The gentleman will state his point of order again.

Mr. McKeown.—I raise the point of order that a motion to reconsider the vote by which it was passed would be out of order.

Mr. Speaker.—The Chair would hold in case it was a bill which had been defeated and was in possession of the House, that the point of order was well taken. But the bill has gone out of the possession of the House, and consequently the gentleman makes that motion. For that reason the Chair decides the point of order not well taken.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Finn, and it was determined in the negative.

{ AYES 32 }
{ NOES 80 }

Those who voted in the affirmative, were

Boland	Fitzgerald	Maher	Phillips	Sharkey
Brennan J F	Gould	Mangin	Poth	Smith J E
Collins	Green	Meister	Rierdon	Sullivan T P
Dillon	Harburger	Meyer	Roche	Sullivan W J
Doughty	Heller	O'Connell	Sage S B	Torborg
Egan	Hoffman	O'Connor	Sanders	Trainor
Finn	Kelly G T			

Those who voted in the negative, were

Allds	Coughtry	Graham	Mazet	Siems
Axtell	Cowles	Greenwood	McInerney	Sloane C A
Babcock	Cross	Guider	McKeown	Sloane J J
Baker	Darrison	Hallock	McMillan	Smith J T
Barrett	Davis	Hatch	Paris	Snyder
Beede	Dutton	Hays	Patton	Stoneman
Brennan E C	Ellis	Hill	Riedman	Ten Eyck
Brewster	Fancher	Johnson	Roberts	Thorn
Bryan	Farrell	Juengst	Rogers	Tripp
Burnett	Fish	Kelley E E	Rowe	Vincent
Cain	Fordyce	Kelsey	Russell	Ware
Clark	Fowler	Lewis M E	Sage H M	West
Collier	Gale	Lewis T D	Sandford	Whipple
Costello	Gallagher	Litchard	Sands	Wilson
Cottle	Gardiner	Martin	Sawyer	Wissel
Cotton	Gleason	Mason	Schoeneck	Witter

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

“An act to amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in

relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city." (No. 1638, Int. No. 1167.)

"An act to amend the Fisheries, Game and Forest Law in relation to the manner of killing web-footed wild fowl on Cayuga lake." (No. 797, Int. No. 732.)

"An act to amend subdivision 16 of section 4 of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws.'" (No. 520, Int. No. 493.)

"An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village and to issue bonds therefor." (No. 1623, Int. No. 1295.)

"An act to extend the time for the collection of taxes in the town of Babylon, in Suffolk county." (No. 1622, Int. No. 1294.)

"An act to authorize the town of Henderson, in the county of Jefferson, to acquire a site and construct a town hall thereon and to issue bonds therefor." (No. 1526, Int. No. 1239.)

"An act to make the office of sheriff of Genesee county a salaried office and to regulate the management thereof." (No. 1601, Int. No. 1058.)

"An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo, to grant and allow a pension to Mary M. Diehl." (No. 1281, Int. No. 1068.)

"An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo, to grant and allow a pension to Frances Schneggenburger." (No. 1060, Int. No. 927.)

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county

of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the Richmond County Society for the Prevention of Cruelty to Children." (No. 1094, Int. No. 942.)

"An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder." (No. 1209, Int. No. 1026.)

"An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the islands of Cuba, Porto Rico, Guam, the Philippine islands and the islands of Hawaii." (No. 1441, Int. No. 1171.)

"An act giving jurisdiction to the Court of Claims to hear, audit and determine any and all alleged claims and to settle all claims and questions that have arisen or may arise in relation to money under the control of the State, belonging to the Stockbridge tribe or band of Indians or any individual Indian of that tribe or his descendants." (No. 228, Int. No. 228.)

"An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of The E. G. Bernard Company against the State, and to make an award therefor." (No. 692, Int. 646.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Earlls, Thayer & Company against the State for damages alleged to have been sustained by them, and to render judgment therefor." (No. 1300, Int. 1087.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 227, Int. No. 227.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State and render judgment therefor." (No. 1337, Int. No. 1110.)

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1498) entitled "An act to amend chapter 481

of the Laws of 1897, entitled ' An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers " (Int. No. 1204), reported the same with the following recommendation:

Page 2, line 1, after the word " meetings " insert the words " as amended by chapter four hundred and seventy-four of the laws of eighteen hundred and ninety-eight."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1439) entitled " An act to amend the charter of the city of Rochester, and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements " (Int. No. 1169), reported the same with the following recommendation:

Page 1, line 7, after the word " city " insert the following words " as amended by chapter thirty-five of the laws of eighteen hundred and eighty-seven, as amended by chapter five hundred and sixty-one of the laws of eighteen hundred and ninety."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1425) entitled " An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer " (Int. No. 1158), reported the same with the following recommendation:

Page 1, line 8, after the word " law " insert the words " as amended by chapter nine hundred and seventy-four of the laws of eighteen hundred and ninety-five."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1137) entitled "An act to amend an act, entitled 'An act in relation to taxation constituting chapter twenty-four of the general laws,' relating to revision and readjustment of accounts by Comptroller" (Int. No. 973), reported the same with the following recommendations:

Page 1, line 3, after the word "six" insert the words "an act in relation to taxation, constituting chapter twenty-four of the general laws."

Page 2, line 7, after the word "difference" insert a comma.

Amend the title so as to read as follows:

"An act to amend chapter nine hundred and eight of the laws of eighteen hundred and ninety-six, entitled 'An act in relation to taxation, constituting chapter twenty-four of the general laws,' relating to revision and readjustment of accounts by comptroller."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1288) entitled "An act to amend chapter 223 of the Laws of 1890, relating to the raising of money by towns for the proper observance of Memorial or Decoration day" (Int. No. 1075), reported the same with the following recommendation:

Amend the title so as to read as follows:

"An act to amend chapter two hundred and twenty-three of the laws of eighteen hundred and ninety, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration day,' relating to the raising of money by towns for the proper observance of Memorial or Decoration day."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was

referred the bill (No. 1613) entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers'" (Int. No. 1262), reported the same with the following recommendations:

Page 1, line 2, after the word "six" insert the following "entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers,'" also after the word "are" insert the word "hereby."

Same page, line 3, after the word "read" insert the word "respectively," also after the word "follows" insert colon and strike out the words "to wit:"

Page 3, line 20, after the word "before" strike out comma.

Page 7, line 14, after the word "act" insert a comma.

Page 9, line 1, after the word "appointed" insert a comma.

Same page, line 7, after the word "office" strike out comma and insert a period, also commence the word "said" with a capital "S."

Same page, line 18, after the word "given" insert the word "to."

Page 12, line 24, after the word "of" insert a comma, also after the words "lien of" insert a comma.

Page 15, line 16, after the word "is" insert the word "hereby."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1480) entitled "An act to amend the Election Law relative to independent nominations" (Int. No. 1186), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-six" insert the words "entitled 'An act in relation to the elections, constituting chapter six of the general laws.'" "

Same page, line 4, before the word "nominations" strike out quotation marks and insert the section sign and figures as follows "§ 57."

Amend the title to read as follows:

"An act to amend the election law, relative to independent nominations."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1285) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Devillo Palmer against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1072), reported the same with the following recommendation:

Page 1, line 3, after the name "Binghamton" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1503) entitled "An act to amend an act entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, New York,' passed April 23, 1869" (Int. No. 1209), reported the same with the following recommendations:

Page 1, line 1, after the word "of" insert the words "chapter two hundred and ninety-nine of the laws of eighteen hundred and sixty-nine," also strike out the words "the act."

Same page, line 3, strike out the words "passed April twenty-third, eighteen hundred."

Same page, line 4 strike out the words "and sixty-nine."

Amend the title so as to read as follows:

"An act to amend chapter two hundred and ninety-nine of the laws of eighteen hundred and sixty-nine, entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, New York.'"

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1301) entitled "An act to amend the Town Law, in relation to voting and borrowing money for the purchase

of a site and the erection of a town house" (Int. No. 1088), reported the same with the following recommendation:

Page 2, line 18, strike out the word "a" and insert the word "the."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1036) entitled "An act to amend the County Law, as amended by chapters 150 and 718 of the Laws of 1895 relating to sheriffs' office; time of keeping open" (Int. No. 903), reported the same with the following recommendations:

Page 2, line 9, after the word "be" insert the word "kept."

Page 3, begin line 3 as follows:-

"§ 2. All acts or parts of acts" etc.

Same page, line 4, strike out the figure "2" and insert the figure "3."

Amend the title by inserting a comma after the word "ninety-five."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 468) entitled "An act to amend chapter 974 of the Laws of 1895, entitled 'An act relating to game, fish and wild animals and to the forest preserve and Adirondack park, constituting chapter 31 of the general laws and to be known as the Fisheries, Game and Forest Law,' as further amended by chapter 139 of the Laws of 1898" (Int. No. 448), reported the same with the following recommendations:

Page 1, line 1, after the word "chapter" insert the words "four hundred and eighty-eight of the laws of eighteen hundred and ninety-two, the title to which was amended by chapter three hundred and ninety-five of the laws of eighteen hundred and ninety-five, to read."

Same page, strike out the word "nine" in line 1, also strike out all of line 2.

Same page, line 3, strike out the words "ninety-five, entitled."

Same page, line 6, strike out the word "further."

Page 2, line 1, strike out the words "one hundred and thirty-nine" and insert the words "nine hundred and seventy-four."

Same page, line 2, strike out the word "eight" and insert the word "five," also before the word "is" insert the words "as amended by chapter one hundred and thirty-nine of the laws of eighteen hundred and ninety-eight."

Same page, line 5, put words "except menhaden" in brackets.

Amend the title of said bill to read as follows:

"An act to amend the Fisheries, Game and Forest Law, relative to fishing in Raritan bay."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to make the office of sheriff of Genesee county a salaried office and to regulate the management thereof." (No. 1601, Int. No. 1058.)

"An act to amend subdivision 16 of section 4 of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws.'" (No. 520, Int. No. 493.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Devillo Palmer against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 1285, Int. No. 1072.)

"An act to provide for reduced fares on railroads for school children." (No. 1464, Int. No. 600.)

"An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of The E. G. Bernard Company against the State and to make an award therefor." (No. 692, Int. No. 646.)

"An act giving jurisdiction to the Court of Claims to hear, audit and determine any and all alleged claims and to settle all

claims and questions that have arisen or may arise in relation to money under the control of the State, belonging to the Stockbridge tribe or band of Indians or any individual Indian of that tribe or his descendants." (No. 228, Int. 228.)

"An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the islands of Cuba, Porto Rico, Guam, the Philippine islands and the islands of Hawaii." (No. 1441, Int. 1171.)

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the Richmond County Society for the Prevention of Cruelty to Children." (No. 1094, Int. No. 942.)

"An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder." (No. 1209, Int. No. 1026.)

"An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Frances Schneggenburger." (No. 1060, Int. No. 927.)

"An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Mary M. Diehl." (No. 1281, Int. No. 1068.)

"An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city." (No. 1638, Int. No. 1167.)

"An act to authorize the town of Henderson, in the county of Jefferson, to acquire a site and construct a town hall thereon and to issue bonds therefor." (No. 1526, Int. No. 1239.)

"An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village and to issue bonds therefor." (No. 1623, Int. No. 1295.)

"An act to extend the time for the collection of taxes in the town of Babylon, in Suffolk county." (No. 1622, Int. No. 1294.)

"An act to amend the Fisheries, Game and Forest Law in relation to the manner of killing web-footed wild fowl on Cayuga lake." (No. 797, Int. No. 732.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State and render judgment therefor." (No. 1337, Int. No. 1110.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him and to render judgment therefor." (No. 227, Int. No. 227.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Earlls, Thayer & Company against the State for damages alleged to have been sustained by them and to render judgment therefor." (No. 1300, Int. 1087.)

"An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the powers of the common council of said city." (No. 1636, Int. No. 1005.)

"An act to amend chapter 86 of the Laws of 1893, entitled 'An act to provide for the appointment of a receiver of taxes and assessments for the village, town and free union school district number one of the town of Plattsburgh in the county of Clinton,' in relation to receiver of taxes of the town of Plattsburgh." (No. 1633, Int. No. 640.)

"An act to amend the Membership Corporations Law, in relation to visitation of Supreme Court." (No. 1639, Int. No. 307.)

"An act for the regulation of pharmacists and druggists and to

prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in the city of New York." (No. 1635, Int. No. 40.)

"An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city relative to city funds, unpaid audits, over drafts and deficits.'" (No. 1637, Int. No. 982.)

"An act to amend chapter 910 of the Laws of the year 1896, entitled 'An act to authorize the recovery of an assessment paid for a local improvement, which assessment has been annulled.'" (No. 1620, Int. No. 761.)

"An act to amend the Public Health Law, in relation to the sale of domestic remedies." (No. 1618, Int. No. 1030.)

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 683, entitled "An act to amend section 18 of chapter 18 of the general laws known as the 'County Law,' with respect to the printing and distribution of proceedings of boards of supervisors" (Rec. No. 114), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. E. L. Collier gave notice that on Wednesday, March 22d, he would call up the bill No. 783, entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and schoolhouses" (Int. No. 718), the same having been laid aside on the order of second reading.

Mr. Finn gave notice that on Tuesday, March 21st, he would call up the bill No. 937, entitled "An act to amend the Penal Code by inserting therein four new sections to be known as sections 337-a, 337-b, 337-c, and 337-d, relating to gambling machines,

apparatus or devices, commonly known as slot machines" (Int. No. 831), the same having been laid aside on the order of third reading.

Mr. Mahar gave notice that on Tuesday, March 21, he would call up the bill No. 142, entitled "An act to amend the Penal Code, relating to the punishment for murder" (Int. No. 142), and will move to take from the table the motion to reconsider the vote by which said bill was lost.

By unanimous consent,

Mr. Slater introduced a bill entitled "An act to incorporate the Industrial and Commercial Exhibition Company of New York and to authorize said company to acquire real estate in the city of New York" (Int. No. 1373), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Hays introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county, against the State on account of illegal cancellation of land sales for taxes" (Int. No. 1361), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. Mazet introduced a bill entitled "An act to amend chapter 676 of the Laws of 1898, entitled 'An act to create a Metropolitan elections district, provide for the appointment of a State Superintendent therein, and to prescribe his powers and duties'" (Int. No. 1359), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Davis introduced a bill entitled "An act to amend section 4 of chapter 908 of the Laws of 1896, constituting chapter 24 of the general laws, relating to taxation, as amended by chapter 371 of the Laws of 1897, relating to exemptions" (Int. No. 1362), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent,

Mr. Rodenbeck introduced a bill entitled "An act to amend chapter 377 of the Laws of 1896, entitled, 'An act in relation to benevolent orders, constituting chapter 44 of the general law, relating to the Benevolent and Protective Order of Elks'" (Int. No. 1360), which was read the first time and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act to amend chapter 83 of the Laws of 1896, entitled 'An act to amend, consolidate and revise the charter of the village of Sing Sing in the town of Ossining, county of Westchester, passed March 11, 1896, as amended by chapter 496 of the Laws of 1897'" (Int. No. 1370), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of villages.

By unanimous consent,

Mr. Cowles introduced a bill entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture" (Int. No. 1372), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Green introduced a bill entitled "An act to promote and provide for the security of life in hotels" (Int. No. 1363), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Harburger introduced a bill entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof' to amend section 762 of chapter 378 of the Laws of 1897." (Int.

No. 1364), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Riordan introduced a bill entitled "An act to lay out and establish a public park in the Fourth ward of the city of New York, and for the improvement thereof" (Int. No. 1365), which was read the first time.

On motion of Mr. Riordan, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act to amend section 14 of chapter 588 of the Laws of 1898, relating to the apportionment of the personal property of the county of Queens" (Int. No. 1371), which was read the first time.

On motion of Mr. Gale, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

By unanimous consent,

Mr. Collins introduced a bill entitled "An act to exempt from State, county and municipal taxation the property of 'The New York Polyclinic School and Hospital'" (Int. No. 1367), which was read the first time and referred to the committee on taxation and retrenchment.

By unanimous consent,

Mr. Boland introduced a bill entitled "An act to authorize the city of Buffalo to pay to soldiers and sailors of the United States during the late war with Spain, and who were in the employ of the city at the time of their enlistment and have returned to such employ, the salary or compensation to which they would have been entitled if they had remained in the employ of the city" (Int. No. 1368), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Slater introduced a bill entitled "An act to amend the Domestic Relations Law, relating to the effect of legitimatizing

illegitimate children " (Int. No. 1369), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Maher introduced a bill entitled " An act to amend the law providing for police matrons in cities " (Int. No. 1366), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Allds the House adjourned.

TUESDAY, MARCH 21, 1899.

The House met pursuant to adjournment.

Prayer by Rev. George E. Hite.

On motion of Mr. Gale the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

" An act to amend the Insurance Law, relating to the distribution of the tax paid by agents of foreign fire insurance corporations to fire departments " (No. 34, Rec. No. 180), which was read the first time and referred to the committee on insurance.

" An act to amend section 1627 of the Code of Civil Procedure with respect to parties in an action for the foreclosure of a mortgage " (No. 923, Rec. No. 181), which was read the first time and referred to the committee on codes.

" An act to provide for the paving of Broad street and portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor " (No. 925, Rec. No. 182), which was read the first time and referred to the committee on affairs of villages.

" An act to prevent monopolies in articles or commodities of common use, and to prohibit restraints of trade and commerce, providing penalties for violations of the provisions of this act, and procedure to enable the attorney-general to secure testimony

in relation thereto " (No. 498, Rec. No. 183), which was read the first time and referred to the committee on the judiciary.

"An act authorizing the commissioners of the land office to convey a tract of land situated on the Long Island State Hospital farm to the town of Smithtown for a highway " (No. 870, Rec. No. 184), which was read the first time.

On motion of Mr. Post, and by unanimous consent, said bill was read the second time, and ordered to a third reading and referred to the committee on the judiciary.

"An act to amend the Executive Law in relation to skilled accountants " (No. 868, Rec. No. 185), which was read the first time and referred to the committee on ways and means.

"An act to amend section 319 of chapter 414 of the Laws of 1897, known as the Village Law, relative to imprisonment for non-payment of fines " (No. 9, Rec. No. 186), which was read the first time and referred to the committee on affairs of villages.

"An act to amend an act entitled 'An act to authorize the Buffalo city cemetery to set apart certain trust funds and restrict the use of the same, to accept bequests and gifts and to make agreements as to the care of lots therein,' passed May 2d, 1887 " (No. 546, Rec. No. 187), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 3251 of the Code of Civil Procedure relating to costs " (No. 814, Rec. No. 188), which was read the first time and referred to the committee on codes.

"An act to amend section 60 of the Railroad Law, relative to grade crossings " (No. 392, Rec. No. 189), which was read the first time and referred to the committee on railroads.

"An act to amend section 62 of the Railroad Law, relative to grade crossings " (No. 393, Rec. No. 190), which was read the first time and referred to the committee on railroads.

"An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village " (No. 800, Rec. No. 191), which was read the first time and referred to the committee on affairs of villages.

"An act to amend section 5 of the Railroad Law, relating to the extension of time for construction" (No. 871, Rec. No. 192), which was read the first time and referred to the committee on railroads.

"An act to amend that portion of chapter 607 of the Laws of 1898, making certain appropriations for New York State Soldiers' and Sailors' Home; to extend the time for letting the contracts by the board of trustees of said home; for the completion of the work of constructing and equipping new buildings provided for in said chapter, and authorizing the board of trustees to use a portion of any balance unexpended of the appropriation made by said chapter, for the purpose of ordinary repairs" (Rec. No. 193), which was read the first time and referred to the committee on ways and means.

"An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville'" (No. 775, Rec. No. 194), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to buildings in the county of New York" (No. 525, Rec. No. 195), which was read the first time and referred to the committee on affairs of cities.

"An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Behwinkel, a fireman of the first grade, for reinstatement in said department" (No. 874, Rec. No. 196), which was read the first time.

On motion of Mr. T. P. Sullivan, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

"An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' chapter 342 of the Laws of 1867, en-

titled 'An act to amend an act entitled An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' relating to the continuance of its corporate existence" (No. 646, Rec. No. 197), which was read the first time and referred to the committee on internal affairs.

"An act to amend section 3169 of the Code of Civil Procedure, relative to warrants of attachment in the city court of the city of New York" (No. 60, Rec. No. 198), which was read the first time and referred to the committee on codes.

"An act to authorize the common council of the city of Yonkers to appropriate money towards the expenses of the entertainment of the convention of the New York State Firemen's Association to be held in said city during the year 1899" (No. 589, Rec. No. 199), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

"An act to establish and maintain a water department in and for the city of Hornellsville" (No. 763, Rec. No. 200), which was read the first time.

On motion of Mr. Hatch, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

"An act to amend chapter 628 of the Laws of 1898, entitled 'An act to provide for the construction of a bridge and the approaches thereto, and for the extension and repair of the old abutments, in the village of Seneca Falls, in the county of Seneca, and making an appropriation therefor'" (No. 816, Rec. No. 201), which was read the first time and referred to the committee on ways and means.

Mr. E. C. Brennan offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill No. 905, entitled "An act to amend chapter 212

of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws,' relative to the use of armories" (Int. No. 275), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The hour of 12 o'clock M. having arrived, Mr. Speaker announced the special order being the bill (No. 1260) entitled "An act to amend chapter 285 of the Laws of 1880, entitled 'An act to provide for repairing or rebuilding and enlarging the city hall of the city of Albany, for the use of said city and the use of the county of Albany, and to provide means for the payment therefor.'" (Int. No. 862.)

Said bill having been announced for a third reading,

Mr. Palmer.—I desire to move to strike this bill from the calendar upon the ground that the bill in its present form has never had its first reading in this House.

Mr. Speaker.—The Chair will hold the point of order not well taken at this time. It is hard for the Chair to appreciate how a bill could get in here without having its first reading.

Mr. Palmer.—The present Speaker and the Speaker before whom the point of order were made are not one and the same officer, and yet there is a law in this State that each person is presumed to know the law; and I assume that rule holds good here, that every Speaker is presumed to know the condition of the point of order before ruling upon it.

This bill was introduced in the House, or some bill was; it had what was thought to be the first reading. But when presented to this House for third reading the Chair decided, or the Speaker of this House decided that the bill should be stricken from the calendar, for the reason that it did not conform to the rules and laws of the House. So that this bill, or no bill conforming to the rules of this House with reference to publication (noise) under the rulings of the Speaker of this House has ever had a first reading.

Now, I submit if the bill was irregularly before this House, the only way it could become a legal, proper and regular bill under the rules of this House, was to re-introduce it and make it legal in form.

It never has been mentioned by motion or by vote in this House. I therefore insist under the previous rulings of the Speaker of this House, if they are to be adopted as the law of the House that this bill in its present form never has had a first reading in this House.

Mr. Speaker.—The Chair would state in reference to the point of order raised by the gentleman from Schoharie, the first reading of every bill is when it is handed down by the Desk, the Clerk, and its title read. This bill certainly must have had a first reading in order to get here at all.

Mr. Palmer.—The bill that did have its first reading is not this bill, is the point I make. The bill that was introduced was decided to be not regular in form under the rules of this House, and therefore, this bill is a bill that had a first reading; and this bill never has had a first reading in this House.

Mr. Speaker.—The only position that the Chair can take upon this proposition is to pass upon this bill as it presents itself to him now. He is not familiar with the circumstances which came up in connection with the discussion of this bill, except that he understood that the gentleman who was occupying his position at that time held that this bill is properly on the calendar; and he so understands now.

Mr. Palmer.—It seems to me that the present Speaker should be guided by the record on this bill.

Mr. Speaker.—The Chair understands the Speaker occupying the desk at the time held that this bill was properly on the calendar.

Mr. Allds.—This whole question was threshed out at the time it was ordered to a second reading; and the Speaker will remember that it was sent back to the printer to be properly printed and to be restored to the calendar when returned; the Speaker ruling at the time when that discussion and proposition as to

whether or not that must have been taken as having been taken by unanimous consent.

Mr. Palmer.—Does the leader of the majority say that this bill is in the same form it was when first read?

Mr. Speaker.—It is only possible in reply to the point of order—in further explanation of the point of order raised by the gentleman from Schoharie—it is only possible for the Chair at the present time to pass upon what is before him. He cannot pass upon a ruling made previously; nor he cannot pass upon a discussion which was had relative to this bill or point of order at the time the gentleman refers to. The only point of order that can be raised in reference to the bill at this time is whether or not it is now properly upon the calendar or not. The Chair cannot go back to second reading of the bill or to the first reading of the bill.

Mr. Kelsey.—At the time of the second reading the points were made, and the House sustained the rulings of the occupant of the Chair at that time.

Mr. Speaker.—The Chair understands the Chair held the bill was properly on the calendar?

Mr. Kelsey.—The Chair sustained it on second reading.

Mr. Speaker.—That is the way the Chair understands.

Mr. Kelsey.—If there are any points upon the bill now they should be as it now appears.

Mr. Palmer.—Mr. Speaker, the point I desire to make now is, that the records of this House show that the bill is not properly upon the order of third reading. That is the point I desire to raise now.

Mr. Speaker.—The Chair understands that this same matter was all gone over, the records of the House show, at the time the bill was under consideration upon the order of second reading, that it was properly upon the calendar.

Mr. Palmer.—Mr. Speaker, I now refer to the records of this House to sustain my point of order.

Mr. Allds.—I make the point of order that the gentleman does

not at present propose to read from the journal—it is the only record.

Mr. Palmer.—I desire to say—whether I read my speech or whether I deliver it without notes is not under a rule of this House.

Mr. Speaker.—The Chair will hold so far as the statement to be made by the gentleman from Schoharie is concerned, that if he desires to refer to the journal, the Desk will read the journal. If it is not the journal he reads, the Chair will hold that there is no official record of this House except the journal of the House.

Mr. Palmer.—Mr. Speaker, I ask then, that the comparison of the journal when this bill was first on the second reading, and the comparison the second time read, was with that understanding, and first the journal adopted but two lines of a four page discussion and ruling; and the second time they adopted the stenographer's notes of this House. Now, what I desire to do—whether I read or not—that the records of this House must show that the point of order was made that this bill was not properly on the calendar, for the reason it was not printed in accordance with the rules of this House, and the Speaker then acting said if Mr. Kelly of Albany, insisted upon that motion, that the bill should be stricken from the calendar, and was so ordered, and was not in possession of the House at that time.

Mr. Speaker.—The Chair takes the statement of the gentleman who was acting in his position at the time in his absence, relative to this matter, and he informs us that his position at that time, was that this bill was properly upon the calendar.

Mr. Kelsey.—It was improperly printed, was the extent of the ruling at that time.

Mr. Allds.—That was the first time that it appeared upon second reading; the second time that this came up upon the calendar this whole question was threshed over, appeal was made from the decision of the Chair and the House sustained the decision of the Chair. And the whole thing cannot now be questioned after the action taken by the House upon the second time that the bill appeared upon the second reading calendar.

Mr. Speaker.—The Chair will state, for the purpose of preventing the consumption of too much time that his ruling upon this bill is going to be upon the bill as it is upon the calendar now; so there is no use of reviewing the second reading of bills. The Chair has not had within his jurisdiction at the present time so far as ruling is concerned except the bill as it appears upon the calendar. He has not the right to review what was done by the House and by some other presiding officer in his absence, and he will rule accordingly.

Mr. Palmer.—Mr. Speaker, the point I desire to raise here is, if it had been decided this bill was improperly upon the calendar, whether or not then it could be brought here now for third reading.

Mr. Speaker.—If the Chair had held that it was improperly upon the calendar, and the House had sustained that ruling, the bill certainly should not be upon the files and upon the calendar.

Mr. Palmer.—So my motion is in order reviewing the decision of the Chair on second reading?

Mr. Speaker.—No, sir; it is not. The journal of the House is the only record upon that proposition. There is no question of the review of the decision of no one. The journal of the House is the official record of the House.

Mr. Allds.—The Speaker has made his ruling; I suggest that we go to the consideration of this bill, unless some one desires to appeal from the decision of the Chair.

Mr. Palmer.—I then ask that the Speaker of this House hold either that this bill is now properly upon the calendar, taking into consideration what took place upon the second reading.

Mr. Speaker.—The Chair assumes the responsibility, and holds that the bill is properly upon the calendar.

Mr. Palmer.—I desire to appeal from the decision of the Chair.

Mr. Speaker put the question, "Shall the decision of the Chair stand as the judgment of the House?" and it was decided in the affirmative.

{ AYES 71 }
 { NOES 37 }

Those who voted in the affirmative, were

Allds	Delaney	Hallock	McMillan	Sears
Apgar	Doughty	Hatch	Murphy	Slater
Babcock	Dutton	Hays	Patton	Sloane C A
Baker	Ellis	Henry	Post	Smith J T
Bedell	Evarts	Hill	Roberts	Snyder
Beede	Fallows	Johnson	Rodenbeck	Stoneman
Brennan E O	Fancher	Kelley E E	Rogers	Ten Eyck
Brewster	Farrell	Kelsey	Rowe	Thorn
Burnett	Fish	Lewis M E	Russell	Tripp
Clark	Fordyce	Lewis T D	Sabine	Vincent
Collier	Gardiner	Martin	Sage H M	Ware
Coughtry	Gleason	Mason	Sandford	West
Cowles	Graham	Mazet	Sands	Wilson
Darrison	Greenwood	McEwan	Sawyer	Witter
De Graw				

Those who voted in the negative, were

Ball	Gallagher	Maher	Phillips	Sloane J J
Barrett	Gould	Mangin	Riedman	Streifler
Boland	Green	McInerney	Schmid A F	Sullivan W J
Brennan J F	Harburger	Meister	Schmid F	Torborg
Cain	Heller	Meyer	Schoeneck	Trainor
Collins	Kane	O'Connor	Sharkey	Wingefeld
Dillon	Kelly G T	Palmer	Siems	Wissel
Finn	Kullman			

Mr. Apgar in the Chair.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	Delaney	Henry	O'Connor	Sears
Apgar	Dillon	Hill	Palmer	Siems
Baker	Dutton	Hoffman	Patton	Slater
Ball	Ellis	Johnson	Pickett	Sloane C A
Barrett	Fancher	Kane	Post	Sloane J J
Bedell	Farrell	Kelley E E	Riedman	Snyder
Beede	Fish	Kelly G T	Rierdon	Stoneman
Boland	Fitzgerald	Kelsey	Roberts	Streifler
Brennan E O	Fordyce	Kullman	Roche	Sullivan T P
Brennan J F	Fowler	Lewis M E	Rodenbeck	Sullivan W J

Brewster	Gallagher	Maher	Rowe	Ten Eyck
Cain	Gardiner	Martin	Sabine	Torborg
Clark	Gleason	Mason	Sage H M	Trainor
Collier	Gould	Mazet	Sage S B	Tripp
Cotton	Graham	McEwan	Sanders	Vincent
Coughtry	Green	McInerney	Sandford	West
Cowles	Greenwood	McMillan	Sands	Wilson
Darrison	Harburger	Meister	Sawyer	Wingenfeld
Davis	Hatch	Meyer	Schmid A F	Wissel
Dean	Hays	Mohring	Schmid F	Witter
De Graw	Heller	Murphy	Schoeneck	104

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Bryan, Evarts, Babcock, Rogers, Buckley, Burnett, Doughty, Whipple, Cottle, Russell, T. D. Lewis, Axtell, Sharkey, Fallows, Ware, Litchard, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker resumed the chair.

Debate was had thereon on the third reading of said bill, when Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 55 }

Those who voted in the affirmative, were

Allds	Coughtry	Gleason	Mazet	Sears
Apgar	Cowles	Graham	McEwan	Slater
Axtell	Darrison	Greenwood	McMillan	Sloane C A

Babcock	Davis	Hatch	Patton	Smith J T
Baker	De Graw	Hays	Post	Snyder
Bedell	Delaney	Henry	Roberts	Stoneman
Beede	Doughty	Hill	Rodenbeck	Ten Eyck
Brennan E C	Dutton	Johnson	Rogers	Thorn
Brewster	Ellis	Kelley E E	Rowe	Tripp
Bryan	Evarts	Kelsey	Russell	Vincent
Bulkley	Fallows	Lewis M E	Sabine	Ware
Burnett	Fancher	Lewis T D	Sage H M	West
Clark	Fish	Litchard	Sandford	Whipple
Collier	Fordyce	Martin	Sands	Wilson
Cottle	Fowler	Mason	Sawyer	Witter
Cotton	Gardiner			

Those who voted in the negative, were

Ball	Gale	Kullman	Phillips	Sharkey
Barrett	Gallagher	Maher	Pickett	Siems
Boland	Gould	Mangin	Redington	Sloane J J
Brennan J F	Green	McInerney	Riedman	Smith J E
Cain	Harburger	McKeown	Rierdon	Streifler
Collins	Heller	Meister	Roche	Sullivan T P
Dean	Henderson	Meyer	Sage S B	Sullivan W J
Dillon	Hoffman	Mohring	Sanders	Torborg
Egan	Juengst	O'Connell	Schmid A F	Trainor
Finn	Kane	O'Connor	Schmid F	Wingenfeld
Fitzgerald	Kelly G T	Palmer	Schoeneck	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order being the bill (No. 1588) entitled "An act providing for the examination of applicants for foremen, inspectors and supervisors of public works by the State or any State officer or State department, or by any city, city officer or city department" (Int. No. 850), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Harburger	McKeown	Schmid A F
Allds	Cowles	Hatch	McMillan	Schmid F
Apgar	Cross	Hays	Meister	Schoeneck
Axtell	Darrison	Heller	Meyer	Sears
Babcock	Davis	Henderson	Miles	Sharkey
Baker	Dean	Henry	Mohring	Sloane C A
Ball	De Graw	Hill	Murphy	Sloane J J
Barrett	Delaney	Hitchcock	O'Connell	Smith J E
Bashford	Dillon	Hoffman	O'Connor	Smith J T
Baum	Doughty	Hutton	Palmer	Snyder
Bedell	Dutton	Johnson	Paris	Streifler
Beede	Evarts	Juengst	Patton	Sullivan T P
Boland	Fallows	Kane	Phillips	Sullivan W J
Brennan E O	Fancher	Kelley E E	Pickett	Ten Eyck
Brennan J F	Farrell	Kelly G T	Post	Thorn
Brewster	Finn	Kelsey	Poth	Torborg
Brown	Fish	Kullman	Redington	Trainor
Bryan	Fitzgerald	Lewis M E	Riedman	Tripp
Bulkley	Fordyce	Lewis T D	Rierdon	Vincent
Burnett	Fowler	Litchard	Roberts	Ware
Cain	Gale	Maher	Roche	West
Clark	Gleason	Mangin	Rodenbeck	Whipple
Collier	Graham	Martin	Rogers	Wilson
Collins	Greenwood	Mason	Rowe	Wingenfeld
Costello	Grossman	Mazet	Russell	Wissel
Cottle	Guider	McEwan	Sawyer	Witter
Cotton	Hallock	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1615) entitled "An act to amend the Labor Law, relating to the duties of the Factory Inspector and the enforcement of the provisions of such law." (Int. No. 740.)

Said bill having been announced for a third reading,

Mr. Speaker stated the question to be on the motion of Mr. Maher, that said bill be recommitted to the committee on labor and industries with instructions to report the same forthwith amended as follows:

Page 5, line 21, strike out the word "six" and insert instead the word "eight."

Same page, line 22, strike out the word "nine" and insert instead the word "six."

Same page, line 23, strike out the word "ten" and insert instead the word "nine"—also on same page, same line, strike out the word "sixty" and insert instead the word "fifty-four."

Page 6, line 1, strike out the word "ten" and insert instead the word "nine."

Debate was had thereon, when

Mr. Allds move the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Maher, and it was determined in the negative.

{ AYES 59 }
{ NOES 68 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Kelly G T	Phillips	Schoeneck
Barrett	Gale	Kullman	Pickett	Sharkey
Baum	Gallagher	Maher	Poth	Siems
Boland	Gardiner	Mangin	Riedman	Sloane J J
Brennan J F	Gleason	McInerney	Rierdon	Smith J E
Cain	Green	McKeown	Roche	Sullivan T P
Collins	Harburger	McMillan	Rodenbeck	Sullivan W J
Dean	Heller	Meister	Sabine	Torborg
Delaney	Henderson	Meyer	Sage S B	Trainor
Dillon	Hoffman	O'Connell	Sanders	Wingenfeld
Egan	Juengst	O'Connor	Schmid A F	Wissel
Finn	Kane	Palmer	Schmid F	

Those who voted in the negative, were

Allds	Cottle	Fordyce	Litchard	Sawyer
Axtell	Cotton	Fowler	Martin	Sears
Babcock	Coughtry	Gould	Mason	Sloane C A
Baker	Cowles	Graham	Mazet	Smith J T
Bedell	Cross	Greenwood	McEwan	Snyder
Beede	Darrison	Hallock	Paris	Ten Eyck
Brennan E C	Davis	Hatch	Patton	Thorn
Brewster	De Graw	Hays	Post	Tripp
Bryan	Doughty	Henry	Rogers	Vincent
Bulkley	Dutton	Johnson	Rowe	West
Burnett	Evarts	Kelley E E	Russell	Whipple
Clark	Fallows	Kelsey	Sage H M	Wilson
Collier	Fancher	Lewis M E	Sands	Witter
Costello	Fish	Lewis T D		

Debate was had on the third reading of said bill, when Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hatch	Miles	Schoeneck
Allds	De Graw	Hays	Mohring	Sears
Axtell	Delaney	Heller	Murphy	Sharkey
Babcock	Dillon	Henderson	O'Connell	Slater
Baker	Doughty	Henry	O'Connor	Sloane C A
Ball	Dutton	Hill	Palmer	Sloane J J
Barrett	Egan	Hitchcock	Paris	Smith J E
Bashford	Ellis	Hoffman	Patton	Smith J T
Baum	Evarts	Johnson	Pickett	Snyder
Bedell	Fallows	Juengst	Post	Sprague
Beede	Fancher	Kane	Poth	Stoneman
Boland	Farrell	Kelley E E	Redington	Streifler
Brennan E C	Finn	Kelsey	Riedman	Sullivan T P
Brennan J F	Fish	Kullman	Roberts	Sullivan W J
Brewster	Fitzgerald	Lewis M E	Roche	Ten Eyck
Brown	Fordyce	Lewis T D	Rogers	Thorn
Bulkley	Fowler	Litchard	Rowe	Torborg
Burnett	Gale	Maher	Russell	Trainor
Cain	Gallagher	Mangin	Sabine	Tripp
Clark	Gleason	Martin	Sage H M	Vincent
Collins	Gould	Mason	Sage S B	Ware
Costello	Graham	Mazet	Sanders	West
Cottle	Green	McEwan	Sandford	Whipple
Cotton	Greenwood	McInerney	Sands	Wilson
Cowles	Grossman	McKeown	Sawyer	Wingenfeld
Cross	Guider	McMillan	Schmid A F	Wissel
Darrison	Harburger	Meyer	Schmid F	Witter
Davis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1314) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and constituting chapter 24 of the general laws,' relating to the taxation of municipal property." (Int. No. 467.)

Said bill having been announced for a second reading,

Mr. Kelsey moved that said bill be recommitted to the committee on general laws, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 67 }
{ NOES 61 }

Those who voted in the affirmative, were

Allds	Coughtry	Fowler	McKeown	Sloane C A
Apgar	Cowles	Gould	McMillan	Sloane J J
Axtell	Cross	Green	Palmer	Smith J T
Baker	Darison	Greenwood	Patton	Snyder
Bedell	Dean	Hallock	Pickett	Stoneman
Beede	DeGraw	Hatch	Post	Ten Eyck
Brewster	Doughty	Henderson	Rogers	Thorn
Bryan	Dutton	Henry	Rowe	Tripp
Bulkley	Ellis	Johnson	Russell	Vincent
Burnett	Evarts	Juengst	Sage H M	West
Clark	Fancher	Kelley E E	Sands	Whipple
Collier	Finn	Kelsey	Sawyer	Witter
Costello	Fish	Lewis M E	Sears	Speaker
Cottle	Fordyce			

Those who voted in the negative, were

Ball	Gallagher	Mangin	Riedman	Siems
Barrett	Gardiner	Martin	Rierdon	Slater
Baum	Gleason	Mason	Roberts	Smith J E
Boland	Graham	Mazet	Rodenbeck	Streifler
Brown	Harburger	McEwan	Sabine	Sullivan T P
Cain	Heller	McInerney	Sage S B	Sullivan W J
Collins	Hill	Meister	Sanders	Torborg
Delaney	Hoffman	Murphy	Sandford	Trainor
Dillon	Kane	O'Connell	Schmid A F	Ware

Egan	Kelly G T	O'Connor	Schmid F	Wilson
Fallows	Lewis T D	Phillips	Schoeneck	Wingenfeld
Fitzgerald	Maher	Poth	Sharkey	Wissel
Gale				

The Senate bill (No. 172) entitled "An act to amend the Town Law, relative to change by towns of the time of holding town meetings" (Rec. No. 143), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hatch	Mohring	Schoeneck
Allds	De Graw	Hays	Murphy	Sears
Apgar	Delaney	Heller	O'Connell	Sharkey
Axtell	Dillon	Henry	O'Connor	Siems
Babcock	Doughty	Hill	Palmer	Slater
Baker	Dutton	Hitchcock	Paris	Sloane C A
Ball	Egan	Hoffman	Patton	Sloane J J
Barrett	Ellis	Hutton	Phillips	Smith J E
Bashford	Evarts	Johnson	Pickett	Smith J T
Baum	Fallows	Juengst	Post	Snyder
Bedell	Fancher	Kane	Poth	Sprague
Beede	Farrell	Kelley E E	Redington	Stoneman
Brennan E C	Finn	Kelly G T	Riedman	Streifler
Brennan J F	Fish	Kelsey	Rierdon	Sullivan T P
Brewster	Fordyce	Kullman	Roberts	Sullivan W J
Bryan	Fowler	Lewis M E	Roche	Ten Eyck
Bulkley	Gale	Lewis T D	Rodenbeck	Thorn
Burnett	Gallagher	Maher	Rogers	Torborg
Cain	Gardiner	Mangin	Rowe	Trainor
Clark	Gleason	Martin	Russell	Tripp
Collier	Gould	Mazet	Sabine	Vincent
Collins	Graham	McEwan	Sage H M	Ware
Costello	Green	McInerney	Sage S B	West
Cotton	Greenwood	McKeown	Sanders	Whipple
Coughtry	Grossman	McMillan	Sandford	Wilson

Cowles	Guider	Meister	Sawyer	Wingenfeld
Darrison	Hallock	Meyer	Schmid A F	Wissel
Davis	Harburger	Miles	Schmid F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Kelsey in the Chair.

The bill (No. 1639) entitled "An act to amend the Membership Corporations Law, in relation to visitation of Supreme Court" (Int. No. 307), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meister	Schmid A F
Allds	Davis	Harburger	Meyer	Schmid F
Apgar	Dean	Hatch	Miles	Schoeneck
Axtell	De Graw	Hays	Mohring	Sears
Babcock	Delaney	Heller	Murphy	Sharkey
Baker	Dillon	Henderson	O'Connell	Siems
Ball	Dutton	Henry	O'Connor	Slater
Barrett	Egan	Hill	Palmer	Sloane J J
Bashford	Ellis	Hitchcock	Paris	Smith J E
Baum	Evarts	Hoffman	Patton	Smith J T
Bedell	Fallows	Hutton	Pickett	Snyder
Beede	Fancher	Johnson	Post	Sprague
Boland	Farrell	Juengst	Redington	Stoneman
Brennan E C	Finn	Kane	Riedman	Streifler
Brennan J F	Fish	Kelley E E	Rierdon	Sullivan T P
Brewster	Fitzgerald	Kelly G T	Roberts	Ten Eyck
Brown	Fordyce	Kelsey	Roche	Thorn
Bulkley	Fowler	Kullman	Rogers	Torborg
Burnett	Gale	Lewis M E	Rowe	Trainor
Cain	Gallagher	Lewis T D	Russell	Tripp
Clark	Gardiner	Maher	Sabine	Vincent
Collier	Gleason	Mangin	Sage H M	Ware

Collins	Gould	Martin	Sage S B	West
Costello	Graham	Mason	Sanders	Whipple
Cotton	Green	Mazet	Sandford	Wingenfeld
Coughtry	Greenwood	McEwan	Sands	Wissel
Cowles	Grossman	McInerney	Sawyer	Witter
Cross	Guider	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1209) entitled "An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder" (Int. No. 1026), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 140 {
} NOES 00 {

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Meister	Schmid F
Allds	Davis	Hays	Meyer	Schoeneck
Apgar	Dean	Heller	Miles	Sears
Axtell	De Graw	Henderson	Mohring	Sharkey
Babcock	Delaney	Henry	Murphy	Siems
Baker	Dillon	Hill	O'Connor	Slater
Barrett	Doughty	Hitchcock	Palmer	Sloane C A
Bashford	Dutton	Hoffman	Patton	Sloane J J
Baum	Egan	Hutton	Phillips	Smith J E
Bedell	Ellis	Johnson	Pickett	Smith J T
Beede	Evarts	Juengst	Post	Snyder
Boland	Fallows	Kane	Poth	Sprague
Brennan E C	Fancher	Kelley E E	Redington	Stoneman
Brennan J F	Farrell	Kelly G T	Riedman	Streifer
Brewster	Fish	Kelsey	Rierdon	Sullivan T P
Brown	Fitzgerald	Kullman	Roche	Sullivan W J
Bryan	Fordyce	Lewis M E	Rodenbeck	Ten Eyck
Bulkley	Fowler	Lewis T D	Rogers	Thorn
Cain	Gale	Litchard	Rowe	Torborg
Clark	Gallagher	Maher	Russell	Trainor
Collier	Gardiner	Mangin	Sabine	Tripp
Collins	Gleason	Martin	Sage H M	Vincent

Costello	Graham	Mason	Sage S B	West
Cottle	Green	Mazet	Sanders	Whipple
Cotton	Greenwood	McEwan	Sandford	Wilson
Coughtry	Grossman	McInerney	Sands	Wingenfeld
Cowles	Hallock	McKeown	Sawyer	Wissel
Cross	Harburger	McMillan	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 520) entitled "An act to amend subdivision 16 of section 4, of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (Int. No. 493), having been announced for a third reading,

On motion of Mr. M. E. Lewis, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1464) entitled "An act to provide for reduced fares on railroads for school children" (Int. No. 600), having been announced for a third reading,

On motion of Mr. Ball, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1526) entitled "An act to authorize the town of Henderson in the county of Jefferson, to acquire a site and construct a town hall thereon and to issue bonds therefor" (Int. No. 1239), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McKeown	Schmid F
Allds	Darrison	Hallock	McMillan	Sears
Apgar	Davis	Harburger	Meister	Sharkey
Axtell	Dean	Hatch	Meyer	Siems
Babcock	De Graw	Hays	Miles	Slater

Baker	Dillon	Henderson	Mohring	Sloane J J
Ball	Doughty	Henry	O'Connell	Smith J E
Barrett	Dutton	Hill	Palmer	Smith J T
Bashford	Egan	Hitchcock	Paris	Snyder
Baum	Ellis	Hoffman	Patton	Sprague
Bedell	Evarts	Hutton	Phillips	Stoneman
Beede	Fallows	Johnson	Post	Streifler
Boland	Fancher	Juengst	Poth	Sullivan T P
Brennan E C	Farrell	Kane	Redington	Sullivan W J
Brennan J F	Finn	Kelley E E	Riedman	Ten Eyck
Brewster	Fish	Kelly G T	Rierdon	Thorn
Brown	Fitzgerald	Kelsey	Roche	Trainor
Bulkley	Fordyce	Kullman	Rogers	Tripp
Burnett	Fowler	Lewis M E	Rowe	Vincent
Cain	Gale	Lewis T D	Russell	Ware
Clark	Gallagher	Litchard	Sabine	West
Collins	Gardiner	Mangin	Sage H M	Whipple
Costello	Gleason	Martin	Sage S B	Wilson
Cottle	Gould	Mason	Sanders	Wingenfeld
Cotton	Graham	Mazet	Sandford	Wissel
Coughtry	Greenwood	McEwan	Sawyer	Witter
Cowles	Grossman	McInerney	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1635) entitled "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in the city of New York" (Int. No. 40), having been announced for a third reading,

On motion of Mr. Palmer, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1636) entitled "An act to amend chapter 671 of the Laws of 1892, entitled 'An act to revise, consolidate and amend the several acts relating to the government of the city of Cohoes,' in relation to the powers of the common council of said city" (Int. No. 1005), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meyer	Schmid A F
Allds	Davis	Hallock	Miles	Schmid F
Apgar	Dean	Harburger	Mohring	Schoeneck
Axtell	DeGraw	Hatch	Murphy	Sears
Babcock	Delaney	Hays	O'Connor	Sharkey
Baker	Dillon	Henry	Palmer	Siems
Ball	Doughty	Hill	Paris	Slater
Barrett	Dutton	Hitchcock	Patton	Sloane C A
Bashford	Egan	Hutton	Phillips	Sloane J J
Baum	Ellis	Johnson	Pickett	Smith J T
Bedell	Evarts	Juengst	Post	Smith J E
Beede	Fallows	Kane	Poth	Snyder
Boland	Fancher	Kelley E E	Redington	Sprague
Brennan E C	Farrell	Kelly G T	Riedman	Stoneman
Brennan J F	Finn	Kelsey	Rierdon	Streifler
Brewster	Fish	Kullman	Roberts	Sullivan T P
Brown	Fitzgerald	Lewis M E	Roche	Sullivan W J
Bulkley	Fordyce	Lewis T D	Rodenbeck	Ten Eyck
Burnett	Fowler	Litchard	Rogers	Thorn
Cain	Gale	Maher	Rowe	Torborg
Clark	Gallagher	Mangin	Russell	Trainor
Collier	Gardiner	Mason	Sabine	Tripp
Collins	Gleason	Mazet	Sage H M	Vincent
Costello	Gould	McEwan	Sage S B	West
Cottle	Graham	McInerney	Sanders	Whipple
Cotton	Green	McKeown	Sandford	Wilson
Coughtry	Greenwood	McMillan	Sands	Wissel
Cowles	Grossman	Meister	Sawyer	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1633) entitled "An act to amend chapter 86 of the Laws of 1893, entitled 'An act to provide for the appointment of a receiver of taxes and assessments for the village, town and free union school district number one of the town of Plattsburgh in the county of Clinton,' in relation to receiver of taxes of the town of Plattsburgh" (Int. No. 640), was read the third time,

having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 148 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears
Axtell	De Graw	Heller	Murphy	Sharkey
Babcock	Delaney	Henderson	O'Connell	Siems
Baker	Dillon	Henry	O'Connor	Slater
Ball	Doughty	Hill	Palmer	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan T P
Brewster	Fish	Kelsey	Roberts	Sullivan W J
Brown	Fitzgerald	Kullman	Roche	Ten Eyck
Bryan	Fordyce	Lewis M E	Rodenbeck	Thorn
Bulkley	Fowler	Lewis T D	Rogers	Torborg
Burnett	Gale	Litchard	Rowe	Trainor
Cain	Gallagher	Maher	Russell	Tripp
Clark	Gardiner	Mangin	Sabine	Vincent
Collier	Gleason	Martin	Sage H M	Ware
Collins	Gould	Mason	Sage S B	West
Costello	Graham	Mazet	Sanders	Whipple
Cottle	Green	McEwan	Sandford	Wilson
Cotton	Greenwood	McInerney	Sands	Wingenfeld
Coughtry	Grossman	McKeown	Sawyer	Wissel
Cowles	Guider	McMillan	Schmid A F	Witter
Cross	Hallock	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1618) entitled "An act to amend the Public Health Law, in relation to the sale of domestic remedies" (Int. No. 1030), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Miles	Schmid F
Allds	Davis	Hays	Mohring	Schoeneck
Apgar	Dean	Heller	Murphy	Sears
Axtell	De Graw	Henderson	O'Connell	Sharkey
Babcock	Delaney	Henry	O'Connor	Siems
Baker	Dillon	Hill	Palmer	Slater
Ball	Doughty	Hitchcock	Paris	Sloane C A
Barrett	Dutton	Hutton	Patton	Sloane J J
Bashford	Egan	Johnson	Phillips	Smith J E
Baum	Ellis	Juengst	Pickett	Smith J T
Redell	Evarts	Kane	Post	Snyder
Beede	Fallows	Kelley E E	Poth	Sprague
Boland	Fancher	Kelly G T	Redington	Stoneman
Brennan E C	Farrell	Kelsey	Riedman	Streifler
Brennan J F	Finn	Kullman	Rierdon	Sullivan T P
Brewster	Fish	Lewis M E	Roberts	Sullivan W J
Brown	Fitzgerald	Lewis T D	Roche	Ten Eyck
Bulkley	Fordyce	Litchard	Rodenbeck	Thorn
Burnett	Fowler	Maher	Rogers	Torborg
Cain	Gale	Mangin	Rowe	Trainor
Clark	Gallagher	Martin	Russell	Tripp
Collier	Gardiner	Mason	Sabine	Vincent
Collins	Gleason	Mazet	Sage H M	West
Costello	Gould	McEwan	Sage S B	Whipple
Cottle	Green	McInerney	Sanders	Wilson
Cotton	Greenwood	McKeown	Sandford	Wingenfeld
Coughtry	Grossman	McMillan	Sands	Wissel
Cowles	Hallock	Meister	Sawyer	Witter
Cross	Harburger	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1622) entitled "An act to extend the time for the collection of taxes in the town of Babylon, in Suffolk county" (Int. No. 1294), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meyer	Schmid A F
Allds	Darrison	Hallock	Miles	Schmid F
Apgar	Davis	Harburger	Mohring	Sears
Axtell	Dean	Hatch	Murphy	Sharkey
Babcock	De Graw	Heller	O'Connell	Siems
Baker	Delaney	Henderson	O'Connor	Slater
Ball	Dillon	Hill	Palmer	Sloane C A
Barrett	Doughty	Hitchcock	Paris	Sloane J J
Bashford	Dutton	Hutton	Patton	Smith J E
Baum	Egan	Johnson	Phillips	Snyder
Bedell	Ellis	Kane	Post	Sprague
Beede	Evarts	Kelley E E	Poth	Stoneman
Boland	Fallows	Kelly G T	Redington	Sullivan T P
Brennan E C	Fancher	Kelsey	Riedman	Sullivan W J
Brennan J F	Farrell	Kullman	Rierdon	Ten Eyck
Brown	Finn	Lewis M E	Roberts	Thorn
Bryan	Fish	Lewis T D	Roche	Torborg
Bulkley	Fitzgerald	Litchard	Rodenbeck	Trainor
Burnett	Fordyce	Mangin	Rogers	Tripp
Cain	Fowler	Martin	Rowe	Vincent
Clark	Gale	Mason	Russell	Ware
Collier	Gallagher	Mazet	Sabine	West
Collins	Gardiner	McEwan	Sage H M	Whipple
Costello	Gleason	McInerney	Sage S B	Wilson
Cottle	Gould	McKeown	Sanders	Wingenfeld
Cotton	Graham	McMillan	Sands	Wissel
Coughtry	Greenwood	Meister	Sawyer	Witter
Cowles	Grossman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1623) entitled "An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village, and to issue bonds therefor" (Int. No. 1295), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Meister	Schoeneck
Allds	Cross	Guider	Meyer	Sears
Apgar	Darrison	Hallock	Miles	Sharkey
Axtell	Davis	Harburger	Mohring	Siems
Babcock	Dean	Hatch	O'Connell	Slater
Baker	De Graw	Hays	O'Connor	Schmid A F
Ball	Delaney	Heller	Palmer	Sloane C A
Barrett	Dillon	Henderson	Paris	Sloane J J
Bashford	Doughty	Hill	Patton	Smith J E
Baum	Dutton	Hoffman	Phillips	Smith J T
Bedell	Egan	Johnson	Pickett	Snyder
Beede	Ellis	Juengst	Poth	Sprague
Boland	Evarts	Kane	Redington	Stoneman
Brennan E C	Fallows	Kelley E E	Riedman	Streifer
Brennan J F	Fancher	Kelly G T	Rierdon	Sullivan T P
Brewster	Farrell	Kelsey	Roberts	Sullivan W J
Brown	Finn	Kullman	Rodenbeck	Ten Eyck
Bryan	Fish	Lewis M E	Rogers	Thorn
Bulkley	Fitzgerald	Lewis T D	Rowe	Torborg
Burnett	Fordyce	Maher	Russell	Trainor
Cain	Fowler	Mangin	Sabine	Tripp
Clark	Gale	Martin	Sage H M	Vincent
Collier	Gallagher	Mason	Sage S B	West
Collins	Gardiner	Mazet	Sanders	Whipple
Costello	Gleason	McEwan	Sandford	Wilson
Cottle	Gould	McInerney	Sawyer	Wingenfeld
Cotton	Green	McKeown	Schmid A F	Wissel
Coughtry	Greenwood	McMillan	Schmid F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1620) entitled "An act to amend chapter 910 of the Laws of the year 1896, entitled 'An act to authorize the recovery of an assessment paid for a local improvement, which assessment has been annulled'" (Int. No. 761), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 141 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	Meyer	Schoeneck
Allds	Dean	Hatch	Miles	Sears
Apgar	De Graw	Hays	Mohring	Sharkey
Axtell	Delaney	Heller	Murphy	Siems
Babcock	Dillon	Henderson	O'Connell	Slater
Baker	Doughty	Henry	O'Connor	Sloane C A
Ball	Dutton	Hitchcock	Palmer	Sloane J J
Barrett	Egan	Hoffman	Paris	Smith J E
Bashford	Ellis	Johnson	Patton	Smith J T
Baum	Evarts	Juengst	Phillips	Snyder
Beede	Fallows	Kane	Pickett	Sprague
Boland	Fancher	Kelley E E	Post	Stoneman
Brennan E C	Farrell	Kelly G T	Poth	Streifler
Brennan J F	Fish	Kelsey	Riedman	Sullivan T P
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan W J
Brown	Fordyce	Lewis M E	Roberts	Ten Eyck
Bryan	Fowler	Lewis T D	Rodenbeck	Thorn
Bulkley	Gale	Litchard	Rogers	Torborg
Burnett	Gallagher	Maher	Rowe	Trainor
Cain	Gardiner	Mangin	Russell	Tripp
Clark	Gleason	Martin	Sage H M	Vincent
Collier	Gould	Mason	Sage S B	Ware
Collins	Graham	Mazet	Sanders	West
Costello	Green	McEwan	Sandford	Whipple
Cottle	Greenwood	McMillan	Sands	Wilson

Cotton	Grossman	McInerney	Sawyer	Wingenfeld
Cowles	Guider	McKeown	Schmid A F	Wissel
Cross	Hallock	Meister	Schmid F	Witter
Darrison				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1637) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relative to city funds, unpaid audits, over drafts and deficits" (Int. No. 982), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears
Axtell	De Graw	Henderson	Murphy	Sharkey
Babcock	Delaney	Henry	O'Connell	Slater
Baker	Dillon	Hill	O'Connor	Sloane C A
Ball	Doughty	Hitchcock	Palmer	Sloane J J
Barrett	Dutton	Hoffman	Paris	Smith J E
Bashford	Egan	Hutton	Patton	Smith J T
Baum	Ellis	Johnson	Phillips	Snyder
Bedell	Evarts	Juengst	Pickett	Sprague
Beede	Fallows	Kane	Poth	Stoneman
Boland	Farrell	Kelley E E	Redington	Streifler
Brennan E C	Finn	Kelly G T	Riedman	Sullivan T P
Brennan J F	Fish	Kelsey	Rierdon	Sullivan W J
Brewster	Fitzgerald	Kullman	Roberts	Ten Eyck
Brown	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Lewis T D	Rodenbeck	Trainor
Burnett	Gale	Litchard	Rogers	Tripp

Cain	Gallagher	Maher	Rowe	Vincent
Collier	Gardiner	Mangin	Sabine	Ware
Collins	Gleason	Mason	Sage H M	West
Costello	Gould	Mazet	Sage S B	Whipple
Cottle	Graham	McEwan	Sanders	Wilson
Cotton	Greenwood	McKeown	Sandford	Wingenfeld
Coughtry	Grossman	McMillan	Sands	Wissel
Cowles	Guider	Meister	Schmid A F	Witter
Cross	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1601) entitled "An act to make the office of sheriff of Genesee county a salaried office and to regulate the management thereof" (Int. No. 1058), having been announced for a third reading,

On motion of Mr. Ellis, and by unanimous consent, said bill was made a special order on third reading for to-morrow, immediately after the reading of the journal.

The bill (No. 692) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of the E. G. Bernard Company against the State, and to make an award therefor" (Int. No. 646), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 146 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McMillan	Sawyer
Alds	Davis	Harburger	Meister	Schmid A F
Apgar	Dean	Hatch	Meyer	Schoeneck
Axtell	De Graw	Hays	Miles	Sears
Babcock	Delaney	Heller	Mohring	Sharkey
Baker	Dillon	Henderson	Murphy	Siems
Ball	Doughty	Henry	O'Connell	Slater
Barrett	Dutton	Hill	O'Connor	Sloane C A

Bashford	Egan	Hitchcock	Palmer	Smith J E
Baum	Ellis	Hoffman	Paris	Smith J T
Bedell	Evarts	Hutton	Patton	Snyder
Beede	Fallows	Johnson	Phillips	Sprague
Boland	Fancher	Juengst	Pickett	Stoneman
Brennan E C	Farrell	Kane	Post	Streifer
Brennan J F	Finn	Kelley E E	Poth	Sullivan T P
Brewster	Fish	Kelly G T	Riedman	Sullivan W J
Brown	Fitzgerald	Kelsey	Rierdon	Ten Eyck
Bryan	Fordyce	Kullman	Roberts	Thorn
Bulkley	Fowler	Lewis M E	Roche	Torborg
Burnett	Gale	Lewis T D	Rodenbeck	Trainor
Cain	Gallagher	Litchard	Rogers	Tripp
Clark	Gardiner	Maher	Rowe	Vincent
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Whipple
Cottle	Green	Mazet	Sage S B	Wilson
Cotton	Greenwood	McEwan	Sanders	Wingenfeld
Coughtry	Grossman	McInerney	Sandford	Wissel
Cowles	Guider	McKeown	Sands	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1441) entitled "An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the islands of Cuba, Porto Rico, Guam, the Philippine islands and the islands of Hawaii" (Int. No. 1171), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 147 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears

Axtell	De Graw	Heller	Murphy	Sharkey
Babcock	Delaney	Henderson	O'Connell	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan T P
Brewster	Fish	Kelsey	Roberts	Sullivan W J
Brown	Fitzgerald	Kullman	Roche	Ten Eyck
Bryan	Fordyce	Lewis T D	Rodenbeck	Thorn
Bulkley	Fowler	Lewis M E	Rogers	Torborg
Burnett	Gale	Litchard	Rowe	Trainor
Cain	Gallagher	Mangin	Russell	Tripp
Clark	Gardiner	Martin	Sabine	Vincent
Collier	Gleason	Mason	Sage S B	Ware
Collins	Gould	Mazet	Sage H M	West
Costello	Graham	McEwan	Sanders	Whipple
Cottle	Green	McInerney	Sandford	Wilson
Cotton	Greenwood	McKeown	Sands	Wingenfeld
Coughtry	Grossman	McMillan	Sawyer	Wissel
Cowles	Guider	Meister	Schmid A F	Witter
Cross	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1300) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Earlls, Thayer and Company against the State for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 1087), having been announced for a third reading,

On motion of Mr. M. E. Lewis, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1337) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State, and render judgment therefor" (Int. No. 1110), was read the third time, having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Mohring	Schoeneck
Allds	Darrison	Harburger	Murphy	Sears
Apgar	Davis	Hatch	O'Connell	Sharkey
Axtell	Dean	Hays	O'Connor	Siems
Babcock	De Graw	Heller	Palmer	Slater
Baker	Delaney	Henderson	Paris	Sloane C A
Ball	Dillon	Hill	Patton	Sloane J J
Barrett	Doughty	Hitchcock	Phillips	Smith J E
Bashford	Dutton	Hutton	Pickett	Smith J T
Baum	Egan	Johnson	Post	Snyder
Bedell	Ellis	Juengst	Poth	Sprague
Beede	Evarts	Kane	Redington	Stoneman
Boland	Fallows	Kelley E E	Riedman	Streifler
Brennan E C	Fancher	Kelsey	Rierdon	Sullivan T P
Brennan J F	Farrell	Kullman	Roberts	Sullivan W J
Brewster	Finn	Lewis M E	Roche	Ten Eyck
Brown	Fish	Lewis T D	Rodenbeck	Thorn
Bryan	Fitzgerald	Litchard	Rogers	Torborg
Bulkley	Fordyce	Mangin	Rowe	Trainor
Burnett	Fowler	Martin	Russell	Tripp
Cain	Gale	Mason	Sabine	Vincent
Clark	Gallagher	Mazet	Sage H M	Ware
Collier	Gardiner	McEwan	Sage S B	West
Collins	Gleason	McInerney	Sanders	Whipple
Costello	Gould	McKeown	Sandford	Wilson
Cottle	Graham	McMillan	Sands	Wingenfeld
Cotton	Greenwood	Meister	Sawyer	Wissel
Coughtry	Grossman	Meyer	Schmid A F	Witter
Cowles	Guider	Miles	Schmid F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1285) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged

claim of Devillo Palmer against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1072), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 148 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Miles	Schmid F
Allds	Davis	Hays	Mohring	Schoeneck
Apgar	Dean	Heller	Murphy	Sears
Axtell	De Graw	Henderson	O'Connell	Sharkey
Babcock	Delaney	Henry	O'Connor	Siems
Baker	Dillon	Hill	Palmer	Slater
Ball	Doughty	Hitchcock	Paris	Sloane C A
Barrett	Dutton	Hoffman	Patton	Sloane J J
Bashford	Egan	Hutton	Phillips	Smith J E
Baum	Ellis	Johnson	Pickett	Smith J T
Beden	Evarts	Juengst	Post	Snyder
Beede	Fallows	Kane	Poth	Sprague
Boland	Fancher	Kelly E E	Redington	Stoneman
Brennan E C	Farrell	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brewster	Fish	Kullman	Roberts	Sullivan W J
Brown	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bryan	Fordyce	Lewis T D	Rodenbeck	Thorn
Bulkley	Fowler	Litchard	Rogers	Torborg
Burnett	Gale	Maher	Rowe	Trainor
Cain	Gallagher	Mangin	Russell	Tripp
Clark	Gardiner	Martin	Sabine	Vincent
Collier	Gleason	Mason	Sage H M	Ware
Collins	Gould	Mazet	Sage S F	West
Costello	Graham	McEwan	Sanders	Whipple
Cottle	Green	McInerney	Sandford	Wilson
Cotton	Greenwood	McKeown	Sauds	Wingenfeld
Coughtry	Grossman	McMillan	Sawyer	Wissel
Cowles	Guider	Meister	Schmid A F	Witter
Cross	Hallock	Meyer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 228) entitled "An act giving jurisdiction to the Court of Claims to hear, audit and determine any and all alleged claims and to settle all claims and questions that have arisen or may arise in relation to money under the control of the State, belonging to the Stockbridge tribe or band of Indians or any individual Indian of that tribe or his descendants" (Int. No. 228), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 147 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Meyer	Schmid A F
Allds	Dean	Hays	Miles	Schmid F
Apgar	De Graw	Heller	Mohring	Schoeneck
Axtell	Delaney	Henderson	Murphy	Sears
Babcock	Dillon	Henry	O'Connell	Sharkey
Baker	Doughty	Hill	O'Connor	Siems
Ball	Dutton	Hitchcock	Palmer	Slater
Barrett	Egan	Hoffman	Paris	Sloane C A
Bashford	Ellis	Hutton	Patton	Sloane J J
Baum	Evarts	Johnson	Phillips	Smith J T
Bedell	Fallows	Juengst	Pickett	Smith J E
Beede	Fancher	Kane	Post	Snyder
Boland	Farrell	Kelley E E	Poth	Sprague
Brennan E C	Finn	Kelly G T	Redington	Stoneman
Brennan J F	Fish	Kelsey	Riedman	Streifler
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brown	Fordyce	Lewis M E	Roberts	Ten Eyck
Bryan	Fowler	Lewis T D	Roche	Thorn
Bulkley	Gale	Litchard	Rodenbeck	Torborg
Burnett	Gallagher	Maher	Rogers	Trainor
Cain	Gardiner	Mangin	Rowe	Tripp
Clark	Gleason	Martin	Russell	Vincent
Collier	Gould	Mason	Sabine	Ware

Collins	Graham	Mazet	Sage H M	West
Costello	Green	McEwan	Sage S B	Whipple
Cottle	Greenwood	McInerney	Sanders	Wilson
Cotton	Grossman	McKeown	Sandford	Wingenfeld
Coughtry	Guider	McMillan	Sands	Wissel
Cowles	Hallock	Meister	Sawyer	Witter
Cross	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 227) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 227), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 90 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Miles	Schmid F
Allds	Davis	Hatch	Mohring	Schoeneck
Apgar	Dean	Hays	Murphy	Sears
Axtell	DeGraw	Heller	O'Connell	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan T P
Brewster	Fish	Kelsey	Roberts	Sullivan W J
Bryan	Fitzgerald	Kullman	Roche	Thorn

Bulkley	Fowler	Lewis M E	Rodenbeck	Torborg
Burnett	Gale	Lewis T D	Rogers	Trainor
Cain	Gallagher	Litchard	Rowe	Tripp
Clark	Gardiner	Maher	Russell	Vincent
Collier	Gleason	Mangin	Sabine	Ware
Collins	Gould	Mason	Sage H M	West
Costello	Graham	Mazet	Sage S B	Whipple
Cottle	Green	McEwan	Sanders	Wingenfeld
Cotton	Greenwood	McInerney	Sandford	Wilson
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross	Hallock	Meyer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1281) entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo, to grant and allow a pension to Mary M. Diehl" (Int. No. 1068), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 145 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meyer	Schmid F
Allds.	Darrison	Harburger	Miles	Schoeneck
Apgar	Davis	Hatch	Mohring	Sears
Axtell	Dean	Hays	Murphy	Sharkey
Babeock	De Graw	Heller	O'Connell	Siems
Baker	Delaney	Henderson	O'Connor	Slater
Ball	Dillon	Henry	Palmer	Sloane C A
Barrett	Doughty	Hill	Paris	Sloane J J
Bashford	Dutton	Hitchcock	Patton	Smith J E
Baum	Egan	Hoffman	Phillips	Smith J T
Bedell	Ellis	Hutton	Pickett	Snyder
Bede	Evarts	Johnson	Post	Sprague
Boland	Fallows	Juengst	Poth	Stoneman
Brennan E C	Fancher	Kane	Redington	Streifler

Brennan J F	Farrell	Kelley G T	Riedman	Sullivan T P
Brewster	Finn	Kelsey	Rierdon	Sullivan W J
Brown	Fish	Kullman	Roberts	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Roche	Thorn
Bulkley	Fordyce	Lewis T D	Rodenbeck	Torborg
Burnett	Fowler	Litchard	Rogers	Trainor
Cain	Gale	Maher	Rowe	Tripp
Clark	Gallagher	Mangin	Russell	Vincent
Collier	Gardiner	Mason	Sabine	Ware
Collins	Gleason	Mazet	Sage H M	West
Costello	Gould	McEwan	Sage S B	Whipple
Cottle	Graham	McInerney	Sanders	Wilson
Cotton	Green	McKeown	Sandford	Wingenfeld
Coughtry	Grossman	McMillan	Sands	Wissel
Cowles	Guider	Meister	Schmid A F	Wittier

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1094) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relative to the Richmond County Society for the Prevention of Cruelty to Children" (Int. No. 942), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 142 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Miles	Schoeneck
Allds	Davis	Hays	Mohring	Sears
Apgar	Dean	Heller	Murphy	Sharkey
Axtell	De Graw	Henderson	O'Connell	Siems
Babcock	Delaney	Henry	Palmer	Slater
Baker	Dillon	Hill	Paris	Sloane C A

Ball	Dutton	Hitchcock	Patton	Sloane J J
Barrett	Egan	Hoffman	Phillips	Smith J E
Bashford	Ellis	Hutton	Post	Smith J T
Baum	Evarts	Johnson	Poth	Snyder
Bedell	Fallows	Juengst	Redington	Sprague
Beede	Fancher	Kane	Riedman	Stoneman
Boland	Farrell	Kelley E E	Rierdon	Streifler
Brennan E C	Finn	Kelly G T	Roberts	Sullivan T P
Brennan J F	Fish	Kelsey	Roche	Sullivan W J
Brewster	Fitzgerald	Kullman	Rodenbeck	Ten Eyck
Brown	Fordyce	Lewis M E	Rogers	Thorn
Bryan	Fowler	Lewis T D	Rowe	Torborg
Burnett	Gale	Litchard	Russell	Trainor
Cain	Gallagher	Mangin	Sabine	Tripp
Clark	Gardiner	Martin	Sage H M	Vincent
Collier	Gleason	Mason	Sage S B	Ware
Collins	Graham	Mazet	Sanders	West
Costello	Green	McEwan	Sandford	Whipple
Cottle	Greenwood	McKeown	Sands	Wilson
Cotton	Grossman	McMillan	Sawyer	Wingenfeld
Coughtry	Guider	Meister	Schmid A F	Wissel
Cowles	Hallock	Meyer	Schmid F	Witter
Cross	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1060) entitled "An act to authorize and empower the board of trustees of the police pension fund of the police department of the city of Buffalo to grant and allow a pension to Frances Schneggenburger" (Int. No. 927), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	Meyer	Schmid A F
Allds	Cross	Guider	Miles	Schmid F
Apgar	Darrison	Hallock	Mohring	Schoeneck

Axtell	Davis	Harburger	Murphy	Sears
Babcock	De Graw	Hatch	O'Connell	Sharkey
Baker	Delaney	Hays	O'Connor	Siems
Ball	Dillon	Henderson	Palmer	Slater
Barrett	Doughty	Henry	Paris	Sloane C A
Bashford	Dutton	Hill	Patton	Sloane J J
Baum	Egan	Hitchcock	Phillips	Smith J E
Bedell	Ellis	Hoffman	Pickett	Smith J T
Beede	Evarts	Johnson	Post	Snyder
Boland	Fallows	Juengst	Poth	Sprague
Brennan EC	Fancher	Kelley E E	Redington	Stoneman
Brennan J F	Farrell	Kelly G T	Riedman	Streifler
Brewster	Finn	Kelsey	Rierdon	Sullivan T P
Brown	Fish	Kullman	Roberts	Sullivan W J
Bryan	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bulkley	Fordyce	Lewis T D	Rodenbeck	Thorn
Burnett	Fowler	Litchard	Rogers	Trainor
Cain	Gale	Maher	Rowe	Tripp
Clark	Gallagher	Mason	Russell	Ware
Collier	Gardiner	Mazet	Sabine	West
Collins	Gleason	McEwan	Sage S B	Wilson
Costello	Gould	McInerney	Sanders	Wingenfeld
Cottle	Graham	McKeown	Sandford	Wissel
Cotton	Green	McMillan	Sands	Witter
Coughtry	Greenwood	Meister	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 797) entitled "An act to amend the Fisheries, Game and Forest Law in relation to the manner of killing web-footed wild fowl on Cayuga lake" (Int. No. 732), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Miles	Schmid F
Allds	Davis	Harburger	Mohring	Schoeneck
Apgar	Dean	Hatch	Murphy	Sears

Axtell	De Graw	Hays	O'Connell	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hitchcock	Paris	Sloane C A
Barrett	Dutton	Hoffman	Patton	Sloane J J
Bashford	Egan	Hutton	Phillips	Smith J E
Baum	Ellis	Johnson	Pickett	Smith J T
Bedell	Evarts	Juengst	Post	Snyder
Beede	Fallows	Kane	Poth	Sprague
Boland	Fancher	Kelley E E	Redington	Stoneman
Brennan E C	Farrell	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brewster	Fish	Kullman	Roberts	Sullivan W J
Brown	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bryan	Fordyce	Lewis T D	Rodenbeck	Thorn
Bulkley	Fowler	Litchard	Rogers	Torborg
Burnett	Gale	Mangin	Rowe	Trainor
Cain	Gallagher	Martin	Russell	Tripp
Clark	Gardiner	Mason	Sabine	Vincent
Collier	Gleason	Mazet	Sage H M	Ware
Collins	Gould	McEwan	Sage S B	West
Costello	Graham	McInerney	Sanders	Whipple
Cottle	Green	McKeown	Sandford	Wilson
Coughtry	Greenwood	McMillan	Sands	Wingenfeld
Cowles	Grossman	Meister	Sawyer	Wissel
Cross	Guider	Meyer	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1638) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city" (Int. No. 1167), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Sears
Apgar	Dean	Hays	Mohring	Sharkey
Axtell	De Graw	Heller	Murphy	Siems
Babcock	Delaney	Henderson	O'Connell	Slater
Baker	Dillon	Henry	O'Connor	Sloane C A
Báil	Doughty	Hill	Palmer	Sloane J J
Barrett	Dutton	Hoffman	Paris	Smith J E
Bashford	Egan	Hutton	Patton	Smith J T
Baum	Ellis	Johnson	Phillips	Snyder
Bedell	Evarts	Kane	Pickett	Sprague
Beede	Fallows	Kelley E E	Poth	Streifler
Boland	Fancher	Kelly G T	Redington	Sullivan T P
Brennan E C	Farrell	Kelsey	Riedman	Sullivan W J
Brennan J F	Finn	Kullman	Rierdon	Ten Eyck
Brewster	Fish	Lewis M E	Roberts	Thorn
Brown	Fitzgerald	Lewis T D	Roche	Torborg
Bryan	Fordyce	Litchard	Rodenbeck	Trainor
Bulkley	Fowler	Maher	Rogers	Tripp
Burnett	Gale	Mangin	Russell	Vincent
Cain	Gardiner	Martin	Sabine	Ware
Clark	Gleason	Mason	Sage H M	West
Collier	Gould	Mazet	Sage S B	Whipple
Collins	Graham	McEwan	Sanders	Wilson
Cottle	Green	McInerney	Sandford	Wingenfeld
Cotton	Greenwood	McKeown	Sands	Wissel
Coughtry	Grossman	McMillan	Sawyer	Witter
Cowles	Guider	Meister	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 504) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Addison L. Upham against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Rec. No. 92), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 00 }

Those who voted in the affirmative, were

Alder	Darrison	Harburger	Meyer	Schoeneck
Allds	Davis	Hatch	Miles	Sears
Apgar	Dean	Hays	Mohring	Sharkey
Axtell	DeGraw	Heller	Murphy	Siems
Babcock	Delaney	Henderson	O'Connell	Slater
Baker	Dillon	Henry	O'Connor	Sloane C A
Ball	Doughty	Hill	Palmer	Sloane J J
Barrett	Dutton	Hitchcock	Paris	Smith J E
Bashford	Egan	Hoffman	Patton	Smith J T
Baum	Ellis	Hutton	Phillips	Snyder
Bedell	Evarts	Johnson	Pickett	Sprague
Boland	Fallows	Kane	Post	Stoneman
Beede	Fancher	Kelley E E	Redington	Streifler
Brennan E C	Farrell	Kelly G T	Reidman	Sullivan T P
Brennan J F	Finn	Kelsey	Rierdon	Sullivan W J
Brewster	Fish	Kullman	Roberts	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Roche	Thorn
Bulkley	Fordyce	Lewis T D	Rodenbeck	Torborg
Burnett	Fowler	Litchard	Rogers	Trainor
Cain	Gale	Maher	Rowe	Tripp
Clark	Gallagher	Mangin	Russell	Vincent
Collier	Gardiner	Martin	Sage H M	Ware
Collins	Gleason	Mason	Sage S B	West
Costello	Graham	Mazet	Sanders	Whipple
Cottle	Green	McEwan	Sands	Wilson
Cotton	Greenwood	McInerney	Sawyer	Wingenfeld
Coughtry	Grossman	McKeown	Schmid A F	Wissel
Cowles	Guider	McMillan	Schmid F	Witter
Cross	Hallock	Meister		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 693) entitled "An act to amend section 88 of chapter 908 of the Laws of 1896 known as the Tax Law relating to collectors' bonds" (Rec. No. 148), was read the third time, having been printed and upon the desks of the members in its

final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Miles	Schoeneck
Allds	Cross	Grossman	Mohring	Sears
Apgar	Darrison	Guider	Murphy	Siems
Axtell	Davis	Hallock	O'Connor	Slater
Babcock	Dean	Harburger	Palmer	Sloane C A
Baker	De Graw	Hatch	Paris	Sloane J J
Ball	Delaney	Heller	Patton	Smith J E
Barrett	Dillon	Henry	Phillips	Smith J T
Bashford	Doughty	Hill	Pickett	Snyder
Baum	Dutton	Hoffman	Post	Sprague
Bedell	Egan	Hutton	Poth	Stoneman
Beede	Ellis	Johnson	Redington	Streifler
Boland	Evarts	Kane	Riedman	Sullivan T P
Brennan E	CFallows	Kelly G T	Rierdon	Sullivan W J
Brennan J	FFancher	Kelsey	Roberts	Ten Eyck
Brewster	Farrell	Kullman	Roche	Thorn
Brown	Finn	Lewis M E	Rodenbeck	Torborg
Bryan	Fish	Lewis T D	Rogers	Trainor
Bulkley	Fitzgerald	Litchard	Rowe	Tripp
Burnett	Fordyce	Mangin	Russell	Vincent
Cain	Fowler	Martin	Sabine	Ware
Clark	Gale	Mason	Sage S B	West
Collier	Gallagher	Mazet	Sanders	Whipple
Collins	Gardiner	McEwan	Sandford	Wilson
Costello	Gleason	McInerney	Sands	Wingenfeld
Cottle	Gould	McMillan	Sawyer	Wissel
Cotton	Graham	Meister	Schmid A F	Witter
Coughtry	Green	Meyer	Schmid F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 751) entitled "An act to provide for enforce-

ing the provisions of chapter 479 of the Laws of 1887, as amended by chapter 197 of the Laws of 1894, and chapter 570 of the Laws of 1895, and all acts amendatory thereof or supplementary thereto, and making an appropriation therefor" (Rec. No. 130), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	McKeown	Schmid A F
Allds	Coughtry	Graham	McMillan	Schmid F
Apgar	Cowles	Green	Meister	Schoeneck
Axtell	Cross	Greenwood	Meyer	Sears
Babcock	Darrison	Grossman	Miles	Sharkey
Baker	Davis	Guider	Murphy	Siems
Ball	Dean	Hallock	O'Connell	Slater
Barrett	De Graw	Harburger	Paris	Sloane C A
Bashford	Delaney	Hatch	Patton	Sloane J J
Baum	Dillon	Hays	Phillips	Smith J E
Beede	Doughty	Henderson	Pickett	Smith J T
Boland	Dutton	Hill	Post	Sprague
Boland	Egan	Hitchcock	Poth	Stoneman
Brennan E C	Ellis	Hutton	Riedman	Streifler
Brennan J F	Evarts	Juengst	Rierdon	Sullivan T P
Brewster	Fallows	Kane	Roberts	Ten Eyck
Brown	Fancher	Kelley E E	Roche	Thorn
Bryan	Farrell	Kelsey	Rodenbeck	Torborg
Bulkley	Finn	Kullman	Rowe	Trainor
Burnett	Fish	Lewis M E	Russell	Vincent
Cain	Fordyce	Lewis T D	Sage H M	Ware
Clark	Fowler	Litchard	Sage S B	Whipple
Collier	Gale	Martin	Sanders	Wilson
Collins	Gallagher	Mason	Sandford	Wingenfeld
Costello	Gardiner	Mazet	Sands	Wissel
Cottle	Gleason	McEwan	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 789) entitled "An act to amend the Insurance Law relative to the merger or consolidation of fire insurance corporations" (Rec. No. 161), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
 { NOES 8 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	Mangin	Sabine
Allds	Coughtry	Gould	Martin	Sage H M
Apgar	Cowles	Greenwood	Mason	Sage S B
Axtell	Cross	Grossman	Mazet	Sandford
Babcock	Darrison	Guider	McEwan	Sands
Baker	Davis	Hallock	McKeown	Sawyer
Ball	Dean	Harburger	McMillan	Schmid A F
Bashford	De Graw	Hatch	Meister	Schmid F
Baum	Delaney	Hays	Meyer	Sears
Bedell	Dillon	Heller	Miles	Sharkey
Beede	Doughty	Henderson	Mohring	Siems
Boland	Dutton	Henry	Murphy	Slater
Brennan E C	Egan	Hitchcock	O'Connell	Sloane J J
Brennan J F	Ellis	Hoffman	O'Connor	Smith J E
Brewster	Fallows	Hutton	Pickett	Stoneman
Brown	Fancher	Johnson	Post	Sullivan T P
Bryan	Farrell	Juengst	Poth	Ten Eyck
Bulkley	Fish	Kane	Redington	Thorn
Burnett	Fitzgerald	Kelley E E	Riedman	Torborg
Cain	Fordyce	Kelsey	Roberts	Tripp
Clark	Fowler	Kullman	Roche	Vincent
Collier	Gale	Lewis T D	Rogers	West
Collins	Gallagher	Litchard	Rowe	Whipple
Costello	Gardiner	Maher	Russell	Wilson
Cottle				

Those who voted in the negative, were

Green	Patton	Rierdon	Smith J T	Trainor
Palmer	Phillips	Sanders		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 641) entitled "An act to amend the Insurance Law relating to the reserve fund and limited payment policies of life insurance corporations on the stipulated premium plan" (Rec. No. 137), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 7 }

Those who voted in the affirmative, were

Adler	Coughtry	Gould	Martin	Sands
Allds	Cowles	Graham	Mason	Sawyer
Axtell	Cross	Greenwood	Mazet	Schmid A F
Babcock	Darrison	Grossman	McEwan	Schoeneck
Baker	Davis	Guider	McInerney	Sears
Ball	Dean	Hallock	McKeown	Siems
Barrett	De Graw	Harburger	Meister	Slater
Bashford	Delaney	Hatch	Meyer	Sloane C A
Baum	Dillon	Hays	Mohring	Smith J E
Bedell	Doughty	Heller	Murphy	Snyder
Beede	Dutton	Henderson	O'Connell	Sprague
Boland	Egan	Hill	O'Connor	Streifler
Brennan EC	Ellis	Hitchcock	Pickett	Sullivan T P
Brennan J F	Evarts	Hoffman	Poth	Sullivan W J
Brewster	Fallows	Hutton	Redington	Ten Eyck
Brown	Fancher	Johnson	Riedman	Thorn
Bryan	Farrell	Juengst	Roberts	Trainor
Bulkley	Finn	Kane	Roche	Tripp
Burnett	Fish	Kelley E E	Rodenbeck	Vincent
Cain	Fitzgerald	Kelly G T	Rogers	Ware
Clark	Fordyce	Kelsey	Russell	West
Collier	Fowler	Kullman	Sabine	Whipple
Collins	Gale	Lewis M E	Sage H M	Wingenfeld
Costello	Gallagher	Lewis T D	Sage S B	Wissel

Cottle	Gardiner	Litchard	Sanders	Witter
Cotton	Gleason	Maher	Sanford	

Those who voted in the negative, were

Green	Patton	Rierdon	Sloane J J	Smith J T
Palmer	Phillips			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 623) entitled "An act to amend the Insurance Law relating to life insurance corporations on the stipulated premium plan" (Rec. No. 135), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 11 }

Those who voted in the affirmative, were

Adler	Costello	Gallagher	Lewis M E	Sabine
Allds	Cottle	Gardiner	Lewis T D	Sage H M
Apgar	Cotton	Gleason	Litchard	Sands
Axtell	Coughtry	Gould	Martin	Sawyer
Babcock	Cowles	Greenwood	Mazet	Sears
Baker	Cross	Grossman	McEwan	Sharkey
Ball	Darrison	Guider	McMillan	Siems
Barrett	Davis	Hallock	Meister	Slater
Bashford	Dean	Harburger	Meyer	Sloane C A
Baum	DeGraw	Hatch	Miles	Snyder
Bedell	Dillon	Heller	Mohring	Sprague
Beede	Doughty	Henderson	O'Connell	Stoneman
Boland	Dutton	Henry	O'Connor	Ten Eyck
Brennan E C	Egan	Hill	Paris	Thorn
Brennan J F	Ellis	Hitchcock	Patton	Torborg
Brewster	Evarts	Hoffman	Post	Tripp
Brown	Fancher	Hutton	Redington	Vincent
Bryan	Farrell	Johnson	Rierdon	Ware
Bulkley	Finn	Juengst	Roberts	West
Burnett	Fish	Kane	Roche	Whipple

Cain	Fitzgerald	Kelley E E	Rodenbeck	Wilson
Clark	Fordyce	Kelsey	Rogers	Wissel
Collier	Fowler	Kullman	Russell	Witter
Collins	Gale			

Those who voted in the negative, were

Green	Palmer	Sanders	Sloane J J	Smith J T
Maher	Phillips	Schmid A F	Smith J E	Trainor
Mangin				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 753) entitled "An act to amend the Greater New York charter, in relation to appropriations for charitable, eleemosynary, correctional or reformatory institutions" (Rec. No. 149), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Meister	Schmid F
Allds	Collins	Hatch	Meyer	Schmid A F
Apgar	Cross	Hays	Miles	Schoeneck
Axtell	Darrison	Heller	Murphy	Sears
Babcock	Davis	Henderson	O'Connell	Siems
Baker	Dean	Henry	O'Connor	Slater
Ball	De Graw	Hill	Palmer	Sloane C A
Barrett	Delaney	Hitchcock	Paris	Smith J E
Bashford	Doughty	Hoffman	Patton	Smith J T
Baum	Dutton	Hutton	Phillips	Snyder
Bedell	Egan	Johnson	Post	Sprague
Beede	Ellis	Juengst	Poth	Stoneman
Boland	Evarts	Kane	Redington	Sullivan T P
Brennan E O	Fallows	Kelley E E	Riedman	Sullivan W J
Brennan J F	Farrell	Kelly G T	Rierdon	Ten Eyck
Brewster	Finn	Kelsey	Roberts	Thorn

Brown	Fish	Kullman	Roche	Torborg
Bryan	Fitzgerald	Lewis M E	Rodenbeck	Trainor
Bulkley	Fordyce	Lewis T D	Rowe	Tripp
Burnett	Gale	Litchard	Russell	Vincent
Cain	Gallagher	Martin	Sabine	Ware
Coller	Gardiner	Mason	Sage H M	West
Collins	Gleason	McEwan	Sage S B	Wilson
Costello	Greenwood	McInerney	Sanders	Wingenfeld
Cottle	Grossman	McKeown	Sandford	Wissel
Cotton	Guider	McMillan	Sawyer	Witter
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 849) entitled "An act to amend an act entitled 'An act for licensing and regulating bonds of auctioneers in cities of 1,000,000 and over,' passed May 22, 1897, relative to precedence of bonds, and limiting the time within which an action may be commenced thereon" (Rec. No. 162), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meyer	Schmid F
Allds	Davis	Harburger	Miles	Schoeneck
Apgar	Dean	Hatch	Murphy	Sharkey
Axtell	Delaney	Hays	O'Connell	Siems
Babcock	Dillon	Heller	O'Connor	Slater
Baker	Dutton	Henderson	Palmer	Sloane C A
Barrett	Egan	Henry	Paris	Sloane J J
Bashford	Ellis	Hitchcock	Phillips	Smith J E
Baum	Evarts	Hoffman	Pickett	Smith J T
Bedell	Fallows	Johnson	Post	Snyder
Beede	Fancher	Juengst	Poth	Sprague
Boland	Farrell	Kane	Riedman	Stoneman

Brennan E C	Finn	Kelley E E	Rierdon	Streifler
Brennan J F	Fish	Kelly G T	Roberts	Sullivan T P
Brewster	Fitzgerald	Kelsey	Roche	Sullivan W J
Brown	Fordyce	Kullman	Rodenbeck	Ten Eyck
Bulkley	Fowler	Lewis M E	Rogers	Thorn
Burnett	Gale	Lewis T D	Rowe	Torborg
Cain	Gallagher	Litchard	Russell	Trainor
Clark	Gardiner	Maher	Sabine	Tripp
Collier	Gleason	Mangin	Sage H M	Vincent
Collins	Gould	Martin	Sage S B	Ware
Costello	Graham	Mazet	Sanders	West
Cottle	Green	McEwan	Sandford	Whipple
Cotton	Greenwood	McKeown	Sands	Wilson
Coughtry	Grossman	McMillan	Sawyer	Wingenfeld
Cross	Guider	Meister		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1648) entitled "An act for the protection of the public health, and to provide for medical attendance at places of public entertainment" (Int. No. 1054), was read the second time.

On motion of Mr. Schoeneck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1646) entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office'" (Int. No. 994), was read the second time.

On motion of Mr. Kane, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1650) entitled "An act to amend section 2342 of the Code of Civil Procedure, relating to the judicial settlement of the accounts of the committees of incompetent persons" (Int. No. 1092), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1652) entitled "An act to amend section 2731, of the Code of Civil Procedure, in relation to the limitation of actions by executors and administrators against heirs, devisees, legatees and next-of-kin of a decedent" (Int. No. 1133), was read the second time.

On motion of Mr. Heller, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1645) entitled "An act to remove the police department of the city of New York from political control" (Int. No. 684), having been announced for a third reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1644) entitled "An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter" (Int. No. 559), having been announced for a second reading,

On motion of Mr. Fordyce, and by unanimous consent, said bill was made a special order on second reading for Thursday next immediately after the reading of the journal.

The bill (No. 1643) entitled "An act to amend section 2461 of the Code of Civil Procedure, relating to supplementary proceedings upon judgments against joint debtors when all defendants were not summoned" (Int. No. 532), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1642) entitled "An act to define the size of small fruit packages" (Int. No. 98), was read the second time.

On motion of Mr. Tripp, said bill was placed on the order of third reading, and referred to the committee on revision.

The Senate bill (No. 297, Assembly reprint No. 1641) entitled "An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the 14th day of August, 1851, and to release any interest of the State in and to the lands covered by said grant" (Rec. No. 68), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1640) entitled "An act to amend chapter 4 of the Laws of 1891, entitled 'An act to provide for rapid transit railways in cities of over 1,000,000 inhabitants,' and the acts amendatory thereof" (Int. No. 962), having been announced for a second reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1697) entitled "An act to establish a separate department of elections in the city of New York" (Int. No. 1311), having been announced for a second reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1649) entitled "An act to provide for the appointment of sidepath commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and regulate their use on such sidepaths and to provide revenue therefor" (Int. No. 1084), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1666) entitled "An act conferring judisdiction upon the Court of Claims to hear, audit and determine the claim of John Culleton against the State of New York" (Int. No. 917), was read the second time.

On motion of Mr. Gale, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1647) entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work done and services performed for the State, under the provisions of chapter 577 of the Laws of 1864" (Int. No. 1028), was read the second time.

On motion of Mr. Roberts, said bill was placed on the order of third reading, and referred to the committee on revision.

Mr. Speaker resumed the Chair.

The bill (No. 1654) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through East Main street in the city of Rochester, from Goodman street to the Culver road, upon property benefited thereby" (Int. No. 1145), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1662) entitled "An act to levy an assessment for

the cost and expense of constructing an improvement and pavement in, upon and through South Saint Paul street in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby" (Int. No. 1159), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1664) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against John J. Enright, a fireman of the first grade, for reinstatement in said department" (Int. No. 1214), was read the second time.

On motion of Mr. Poth, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1665) entitled "An act to amend the Greater New York charter, abolishing the office of county treasurer in the county of Queens" (Int. No. 1223), was read the second time.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McMillan	Schmid F
Allds	Cowles	Greenwood	Meister	Schoeneck
Apgar	Cross	Grossman	Meyer	Sears
Axtell	Darrison	Guider	Mohring	Siems
Babcock	Davis	Hatch	Murphy	Slater
Baker	Dean	Hallock	O'Connell	Sloane C A
Ball	De Graw	Harburger	O'Connor	Sloane J J
Barrett	Delaney	Hays	Palmer	Smith J T
Bashford	Dillon	Heller	Paris	Snyder
Baum	Doughty	Henderson	Patton	Sprague
Bedell	Dutton	Henry	Phillips	Stoneman

Beede	Egan	Hill	Pickett	Streifler
Boland	Ellis	Hitchcock	Poth	Sullivan T P
Brennan E C	Everts	Hoffman	Redington	Sullivan W J
Brennan J F	Fallows	Hutton	Riedman	Ten Eyck
Brewster	Fancher	Juengst	Rierdon	Thorn
Brown	Farrell	Kane	Roche	Trainor
Bryan	Finn	Kelsey	Rodenbeck	Tripp
Bulkley	Fish	Lewis M E	Rogers	Vincent
Burnett	Fitzgerald	Lewis T D	Rowe	Ware
Cain	Fowler	Litchard	Sabine	West
Clark	Gale	Martin	Sage H M	Whipple
Collier	Gallagher	Mazet	Sage S B	Wilson
Collins	Gleason	McEwan	Sanders	Wingenfeld
Costello	Gould	McInerney	Sands	Wissel
Cottle	Graham	McKeown	Schmid A F	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1660) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Court street in the city of Rochester, from South Saint Paul street to Clinton street upon the property benefited thereby" (Int. No. 1156), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1655) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue in the city of Rochester, upon property benefited thereby" (Int. No. 1147), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1653) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby" (Int. No. 1144), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1657) entitled "An act to levy an assesment for

the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from Main street to the Erie canal, on the property benefited thereby" (Int. No. 1149), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1659) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Mount Hope avenue in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby" (Int. No. 1155), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1658) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to the Erie canal, upon the property benefited thereby" (Int. No. 1150), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1656) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby" (Int. No. 1148), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1661) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon South Saint Paul street in the city of Rochester, from East Main street to Court street, upon the property benefited thereby" (Int. No. 1157), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1663) entitled "An act to enable the commissioners

of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement in said department" (Int. No. 1161), was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1667) entitled "An act to amend chapter 379 of the Laws of 1862, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of commissioner and overseers of highways in that district'" (Int. No. 598), was read the second time.

On motion of Mr. Coughtry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1729) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations,' and providing for the formation, management and supervision of co-operative savings and loan associations, as amended by chapter 705 of the Laws of 1894" (Int. No. 879), was read the second time.

On motion of Mr. Collier, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1733) entitled "An act to amend the Code of Civil Procedure, in relation to the suspension or removal of attorneys" (Int. No. 1197), was read the second time.

On motion of Mr. Rogers, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1734) entitled "An act to amend the Agricultural Law, regulating the sale and analysis of concentrated feeding stuffs" (Int. No. 1206), having been announced for a second reading,

On motion of Mr. Bedell, said bill was recommitted to the committee on agriculture, retaining its place on the order of second reading.

The bill (No. 1730) entitled "An act to establish a State school of public health and making an appropriation therefor" (Int. No. 953), was read the second time.

On motion of Mr. Henry, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Greenwood	Meyer	Schmid A F
Allds	Cotton	Grossman	Miles	Schmid F
Apgar	Coughtry	Hallock	Mohring	Sears
Axtell	Cowles	Harburger	O'Connell	Sharkey
Babcock	Cross	Hatch	O'Connor	Siems
Baker	Darrison	Hays	Palmer	Slater
Ball	Dean	Heller	Paris	Sloane C A
Barrett	De Graw	Henry	Patton	Sloane J J
Bashford	Delaney	Hill	Phillips	Smith J T
Baum	Doughty	Hitchcock	Pickett	Snyder
Bedell	Dutton	Hutton	Post	Sprague
Beede	Egan	Johnson	Poth	Stoneman
Boland	Ellis	Kane	Riedman	Sullivan T P
Brennan E C	Fallows	Kelley E E	Rierdon	Sullivan W J
Brennan J F	Fancher	Kelsey	Roberts	Ten Eyck
Brewster	Finn	Kullman	Rodenbeck	Thorn
Brown	Fish	Lewis M E	Rogers	Torborg
Bryan	Fitzgerald	Lewis T D	Russell	Trainor
Bulkley	Fordyce	Mason	Sabine	Vincent
Burnett	Gale	Mazet	Sage H M	Ware
Cain	Gallagher	McEwan	Sage S B	Whipple
Clark	Gardiner	McInerney	Sanders	Wilson
Collier	Gleason	McKeown	Sands	Wingenfeld
Collins	Gould	McMillan	Sawyer	Witter
Costello	Graham			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1726) entitled "An act in relation to the construction and alteration of elevators and elevator shafts in hotels of

three stories in height or over " (Int. No. 244), having been announced for a second reading,

On motion of Mr. McKeown, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1732) entitled "An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relating to ineligibility of county treasurers in the county of Niagara" (Int. No. 1154), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1724) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry S. McDermott, as sole surviving executor of the last will and testament of Stephen C. Dermott, deceased, against the State for damages alleged to have been sustained by the said Stephen C. Dermott, deceased, and to render judgment therefor" (Int. No. 1023), was read the second time.

On motion of Mr. Coughtry, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1727) entitled "An act to amend section 2647, 2649, 2651, 2652, 2653-a, 2626, and 2627 of the Code of Civil Procedure, relating to revocation of probate" (Int. No. 303), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1748) entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government and disposition of the territory so annexed" (Int. No. 924), was read the second time.

On motion of Mr. W. J. Sullivan, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1754) entitled "An act declaring Spuyten Devil creek, Brant lake and Brant Lake creek, tributaries of the Schroon river, in the county of Warren to be public highways, and pro-

viding for the assessment of damages to riparian owners thereof " (Int. No. 670), having been announced for a second reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1753) entitled "An act to amend the Tax Law, relating to exemptions from taxation of certain mortgages on agricultural lands " (Int. No. 375), having been announced for a second reading,

Mr. A. F. Schmid moved to amend said bill as follows:

Page 1, line 7, strike out the words " agricultural lands " and insert instead the words " real estate situated within this State."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time, and on motion of Mr. Martin, was ordered reprinted and placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1752) entitled "An act to amend the Consolidated School Law, relative to alteration of school districts by commissioners " (Int. No. 218), was read the second time.

On motion of Mr. Pickett, said bill was placed on the order of third reading, and referred to the committee on revision.

The bill (No. 1751) entitled "An act to amend the laws relating to the taxation of cemetery lands " (Int. No. 883), having been announced for a second reading,

On motion of Mr. Wissel, said bill was laid aside, retaining its place on the order of second reading.

The Senate bill (No. 444, Assembly reprint No. 1755) entitled "An act to provide for the payment by the town of Waterford of its portion of the paving of Broad street in said town " (Rec. No. 72), was read the second time.

On motion of Mr. West, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meyer	Schmid F
Allds	Darrison	Hallock	Miles	Schoeneck
Apgar	Davis	Harburger	Mohring	Sears
Axtell	Dean	Hatch	Murphy	Siems
Babcock	Delaney	Hays	O'Connell	Slater
Baker	Dillon	Heller	O'Connor	Sloane C A
Ball	Doughty	Henry	Palmer	Smith J E
Barrett	Dutton	Hitchcock	Patton	Smith J T
Bashford	Egan	Hoffman	Phillips	Snyder
Bedell	Ellis	Hutton	Pickett	Sprague
Beede	Evarts	Johnson	Post	Stoneman
Boland	Fancher	Juengst	Poth	Streifer
Brennan J F	Farrell	Kane	Riedman	Sullivan W J
Brewster	Finn	Kelley E E	Rierdon	Ten Eyck
Brown	Fish	Kelsey	Roberts	Torborg
Bryan	Fordyce	Kullman	Roche	Trainor
Bulkley	Fowler	Lewis M E	Rodenbeck	Vincent
Burnett	Gale	Lewis T D	Rowe	Ware
Clark	Gallagher	Martin	Russell	West
Collier	Gardiner	Mason	Sabine	Whipple
Collins	Gleason	Mazet	Sage H M	Wilson
Costello	Gould	McEwan	Sanders	Wingenfeld
Cottle	Graham	McInerney	Sandford	Wissel
Cotton	Green	McMillan	Sands	Witter
Coughtry	Grossman	Meister	Schmid A F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1758) entitled "An act to vacate an assessment for paving, curbing, guttering and flagging One hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid" (Int. No. 1305), was read the second time.

On motion of Mr. Ware, said bill was placed on the order of third reading and referred to the committee on revision.

Pursuant to notice, Mr. Maher called up the bill (No. 142) entitled "An act to amend the Penal Code, relating to the punishment for murder" (Int. No. 142).

Mr. Maher moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 38 }
{ NOES 66 }

Those who voted in the affirmative, were

Baker	Green	Lewis T D	Russell	Smith J E
Brennan J F	Greenwood	Maher	Sabine	Streifler
Bryan	Hallock	Mangin	Sanders	Torborg
Cotton	Harburger	Meister	Sawyer	Trainor
Egan	Heller	O'Connell	Sharkey	Ware
Ellis	Juengst	Pickett	Sloane C A	Wingenfeld
Finn	Kelsey	Rierdon	Sloane J J	Wissel
Gleason	Lewis M E	Roche		

Those who voted in the negative, were

Allds	Evarts	Hays	McInerney	Sage S B
Apgar	Fallows	Henry	McKeown	Sandford
Axtell	Fancher	Hoffman	McMillan	Sands
Babcock	Farrell	Johnson	Murphy	Schmid A F
Beede	Fish	Kane	O'Connor	Schmid F
Brewster	Fitzgerald	Kelley E E	Patton	Siems
Clark	Fordyce	Kelly G T	Post	Snyder
Collins	Fowler	Kullman	Redington	Sullivan W J
Costello	Gale	Litchard	Riedman	Tripp
Cottle	Gallagher	Martin	Roberts	Vincent
Cowles	Gardiner	Mason	Rogers	Whipple
Darrison	Graham	Mazet	Rowe	Wilson
Dean	Guider	McEwan	Sage H M	Witter
De Graw				

Pursuant to notice, Mr. Finn called up the bill (No. 937) entitled "An act to amend the Penal Code by inserting therein four

new sections to be known as section 337-a, 337-b, 337-c, and 337-d, relating to gambling machines, apparatus or devices, commonly known as slot machines" (Int. No. 831), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Finn moved that said bill be recommitted to the committee on codes with instructions to report the same forthwith amended as follows:

Page 2, section 1, line 2, after the word "insertion" insert the words "or as a result of such insertion and the application of physical or mechanical force."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. Rogers called up the bill (No. 997) entitled "An act to amend the Real Property Law, in relation to indexes in county clerks' offices" (Int. No. 878), heretofore laid aside on the order of third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schoeneck
Allds	Davis	Hatch	Miles	Sears
Apgar	Dean	Hays	Mohring	Sharkey
Axtell	De Graw	Heller	Murphy	Siems
Babcock	Delaney	Henderson	O'Connell	Slater
Baker	Dillon	Henry	Palmer	Sloane J J
Ball	Doughty	Hill	Paris	Smith J E

Barrett	Dutton	Hitchcock	Phillips	Smith J T
Bashford	Ellis	Hoffman	Pickett	Snyder
Bedell	Evarts	Hutton	Post	Sprague
Beede	Fallows	Johnson	Poth	Stoneman
Boland	Fancher	Juengst	Redington	Streifler
Brennan E C	Farrell	Kane	Riedman	Sullivan T P
Brennan J F	Finn	Kelley E E	Rierdon	Sullivan W J
Brewster	Fish	Kelly G T	Roberts	Ten Eyck
Brown	Fordyce	Kelsey	Roche	Thorn
Bryan	Fowler	Kullman	Rodenbeck	Torborg
Bulkley	Gale	Lewis M E	Rogers	Trainor
Burnett	Gardiner	Lewis T D	Rowe	Tripp
Clark	Gleason	Mangin	Russell	Vincent
Collier	Gould	Martin	Sabine	Ware
Collins	Graham	Mason	Sage H M	West
Costello	Green	McEwan	Sage S B	Whipple
Cottle	Greenwood	McInerney	Sandford	Wilson
Cotton	Grossman	McKeown	Sands	Wingenfeld
Coughtry	Guider	McMillan	Sawyer	Wissel
Cowles	Hallock	Meister	Schmid A F	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Bedell called up the bill (No. 775) entitled "An act to amend section 62 of the Railroad Law, relative to grade crossings" (Int. No. 710), heretofore laid aside on the order of second reading.

Said bill was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

By unanimous consent, Mr. McEwan called up the Senate bill (No. 275, Assembly reprint No. 1472) entitled "An act to amend chapter 599 of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company'" (Rec. No. 26), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading.

Mr. McEwan moved to amend said bill as follows:

Page 4, strike out all of line 2.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. McEwan, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Patton, Int. No. 894, entitled "An act providing for the assessment and collection of taxes in villages of the first class" (No. 1022), reported in favor of the passage of the following substitute bill:

AN ACT to amend the village law, in relation to sales for the non-payment of taxes.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter four hundred and fourteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to villages, constituting chapter twenty-one of the general laws," is hereby amended by adding at the end of article four a section to be section one hundred and thirty-three, and to read as follows:

§133. Absolute sales for non-payment of taxes in villages of the first class.—If in a village of the first class a tax or assessment on real property included in an annual or special assessment roll under this chapter, or a tax or assessment which was a lien on real property, or unpaid when the village law took effect, remains unpaid, and the treasurer or collector has made return that he cannot collect the same, the board of trustees may, by resolution, determine that such real property and the entire interest therein, instead of an interest for a term of years, be sold for the collection of such tax or assessment. Such sale shall be for cash, and the notice of sale shall be given in the manner provided by section one hundred and twenty of this chapter, except that the board of trustees may designate one or more newspapers in the village or in an adjoining city or village in which the notice shall be published. The foregoing provisions of this article in relation to the conduct of a sale and the rights and remedies in respect to the real property sold shall not be applicable, but the village treasurer and board of trustees shall possess all the powers and be subject to all the liabilities and duties of a county treasurer and board of supervisors, under articles six and seven of the tax law; and such articles shall, so far as practicable, apply to a sale authorized by this section.

§ 2. This act shall take effect immediately.

JOHN J. ELLIS,
Chairman.

Which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Witter, from the committee on electricity, gas and water, supply, to which was referred the bill introduced by Mr. Streifler, Int. No. 607, entitled "An act to prevent incompetent persons from being employed as workmen for doing electric wiring in the city of Buffalo, State of New York, and providing for a board of electrical commissioners to regulate," (No. 655), reported the same, with the following amendments, and request that said bill be recommitted to said committee:

Page 1, lines 1 and 2, strike out "Be it enacted by the General Assembly of the State of New York."

Same page, line 2, change "it" to "It."

Same page, line 4, after the word "wiring" strike out the word "business" and insert "for light, heat or power."

Page 2, line 3, strike out "and be it further enacted that" and substitute capital "I" for small "i" in word it.

Same page, line 11, strike out "and be it further enacted that" and substitute capital "T" for small "t."

Same page, line 17, strike out "and be it enacted that" and substitute capital "E" for small "e."

Same page, line 25, strike out "and be it further enacted that" and substitute capital "T" for small "t."

Page 3, line 5, after word "member" insert "or employee."

Same page, lines 5 and 6, strike out the word "association" and insert the word "board."

Same page, line 24, strike out "and be it enacted that" and substitute capital "T" for small "t."

Page 4, line 11, strike out "and be it enacted that" and substitute capital "T" for small "t."

Same page, line 23, strike out "and be it enacted that" and substitute capital "T" for small "t."

Page 5, line 5, strike out "and be it enacted that" and substitute capital "T" for small "t."

Same page, line 12, strike out "and be it enacted that" and substitute capital "T" for small "t."

Change title so as to read as follows:

"An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners."

D. P. WITTER,
Chairman.

Which report was agreed to and said bill ordered reprinted, and recommitted to said committee.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the protection of the property in such village against fire and to provide a proper method and means of payment therefor." (No. 1380, Int. No. 1123.)

"An act in relation to the election of county treasurer of Niagara county." (No. 1604, Int. No. 1258.)

"An act authorizing the board of estimate and apportionment of the city of New York, to take proof of the claim of Michael Mullady, for certain work, labor and services alleged to have been done under the direction of Honorable John P. Adams, a commissioner of city works, of the late city of Brooklyn, and to allow and pay to said Michael Mullady, such compensation therefor, as it may deem just and proper." (No. 1577, Int. No. 1254.)

"An act in relation to the transfer of captains, sergeants, roundsmen and patrolmen of the police force of the city of New York." (No. 1495, Int. No. 1201.)

"An act to amend the Membership Corporations Law, in relation to the erection soldiers' monuments." (No. 1107, Int. No. 956.)

"An act to annex certain portions of the town of Lansingburgh in the county of Rensselaer to the towns of Brunswick and Schaghticoke respectively." (No. 1728, Int. No. 450.)

"An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shellfish cultivation in Long Island Sound in Queens and Nassau counties." (No. 1725, Int. No. 241.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1568) entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws'"

(Int. No. 1237), reported the same with the following recommendations:

Amend the title to read as follows:

“An act to amend subdivision four of section ninety of chapter four hundred and fourteen of the laws of eighteen hundred and ninety-seven, entitled ‘An act relating to villages, constituting chapter twenty-one of the general laws,’ relative to licenses.”

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1233) entitled “An act to amend chapter 469 of the Laws of 1898, entitled ‘An act to protect navigation in certain tide waters within the State of New York’” (Int. No. 1044), reported the same with the following recommendations:

Page 1, line 4, after the words “New York” strike out the words “shall be” and insert the words “is hereby.”

Page 2, line 10, after the word “act” strike out the words “shall be” and insert the words “is hereby.”

Page 3, line 8, commence line 8 with words on line 7 as follows:

“§ 4. “All acts or parts of acts” etc., making a new paragraph.

Same page, line 9, after the section mark strike out the figure “4” and insert the figure “5.”

Amend the title by striking out the period after the word “New York” and inserting a comma, also strike out the words “relative to the diversion of water by municipal corporations.”

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1547) entitled “An act to amend section 2 of chapter 644 of the Laws of 1897, entitled ‘An act relative to the opening of a public place situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York’”

(Int. No. 886), reported the same with the following recommendations:

Amend the title as follows:

"An act to amend section 2 of chapter 644 of the Laws of 1897, entitled 'An act relative to the opening of a public place situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York,' relative to damages awarded by the commissioners of estimate and assessment."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1735) entitled "An act amending the Fisheries, Game and Forest Law, in relation to certain fish that may be caught in lakes and waters named" (Int. No. 1207), reported the same with the following recommendation:

Page 2, line 9, underscore the words "or Rockland."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1438) entitled "An act to amend the charter of the city of Rochester, in relation to local improvements" (Int. No. 1168), reported the same with the following recommendations:

Page 1, line 1, before the word "chapter" insert the following words "Section one hundred and seventy of."

Same page, line 7, after the word "city" insert the words "as amended by chapter twenty-eight of the laws of eighteen hundred and ninety-four."

Page 2, line 20, strike out the parenthesis sign and insert the bracket sign.

Page 4, line 24, strike out the parenthesis and insert brackets.

Page 1, line 1, commence the word "chapter" with a small "c."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1571) entitled "An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same'" (Int. No. 1248), reported the same with the following recommendations:

Page 4, line 19, strike out the word "of."

Page, 6, line 3, after the word "tax" insert a comma.

Page 7, line 5, after the word "with" insert a comma.

Same page, line 21, after the word "benefited" insert a comma.

Page 8, line 19, after the word "benefited" insert a comma.

Page 9, line 23, strike out the word "and" and insert the word "or."

Page 11, line 17, after the word "and" insert the word "the."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1555) entitled "An act to amend an act in relation to the traffic in liquors and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws, being chapter 112 of the Laws of 1896 as amended by chapter 312 of the Laws of 1897 and legalizing elections thereunder," (Int. No. 1224), reported the same with the following recommendations:

Page 1, line 2, after the word "six" insert the following: "entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the general laws.'"

Page 6, line 13, after the word "negative" insert a comma.

Amend the title so as to read as follows:

"An act to amend chapter one hundred and twelve of the laws of eighteen hundred and ninety-six, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter twenty-nine of the general laws,' as amended by chapter three hundred

and twelve of the laws of eighteen hundred and ninety-seven, and legalizing elections thereunder."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 42) entitled "An act to compel all subway companies to place on all manhole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes" (Int. No. 42), reported the same with the following recommendations:

Page 1, line 1, after the word "individuals" insert a comma, also after the word "companies" insert a comma.

Same page, line 2, after the word "passages" insert a comma, also after the word "manholes" insert a comma.

Same page, line 7, after the word "shall" insert a comma, also after the word "citizen" insert a comma.

Page 2, line 1, after the word "act" insert a comma.

Same page, line 2, after the word "thereof" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 879) entitled "An act to further amend section 1 of chapter 184 of the Laws of 1898, entitled 'An act relating to employees of the various villages, cities, and counties of the State,' relating to villages" (Int. No. 791), reported the same with the following recommendations:

Page 1, line 1, before the word "section" insert the words "Section 1."

Same page, line 2, strike out the word "five" and insert the word "eight," also strike out the quotation marks before the word "entitled" and insert same after the word "entitled."

Same page, line 3, after the word "state" insert quotation marks.

Same page, line 8, strike out the word "Section" and insert the section mark.

Amend the title to read as follows:

"An act to amend chapter one hundred and nineteen of the laws of eighteen hundred and eighty-eight entitled 'An act relating to employees of the various cities, and counties of the state,' relating to villages."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1302) entitled "An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings" (Int. No. 1089), reported the same with the following recommendations:

Page 1, line 8, after the word "disbursements" insert a comma.

Same page, line 9, after the word "party" strike out the period and insert a comma, also after the word "party" insert the words "as upon a motion."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1511) entitled "An act to amend chapter 677 of the Laws of 1894, entitled 'An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, New York'" (Int. No. 1217), reported the same with the following recommendations:

Page 1, line 2, after the word "four" insert the following:

"entitled 'An act authorizing William S. Tuttle to raise and remove certain sunken vessels or boats from near the upper end of Lake George, New York,' as amended by chapter two hundred and fifty-five of the laws of eighteen hundred and ninety-six."

Same page, line 3, after the word "six" insert a comma.

Same page, line 5, after the word "Whereas" insert a comma.

Same page, line 6, after the word "George" insert a comma.

Page 2, line 2, after the word "authorized" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1627) entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county" (Int. No. 1300), reported the same with the following recommendation:

Amend the title so as to read as follows:

"An act to amend the tax law, in relation to sales for non-payment of taxes in Sullivan county, and advertising said sales."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1381) entitled "An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same" (Int. No. 1124), reported the same with the following recommendations:

Page 2, line 12, after the word "unoccupied" insert a comma.

Page 3, line 21, after the word "same" strike out semicolon and insert a comma.

Same page, line 22, after the word "part" insert a comma.

Same page, line 24, after the word "law" insert a comma.

Page 4, line 8, after the word "empowered" insert a comma, also after the word "resolution" insert a comma.

Same page, line 13, after the word "determine" insert a comma.

Same page, line 15, after the word "thereof" strike out semicolon and insert a comma.

Same page, line 17, after the word "annually" insert a comma.

Same page, line 20, after the word "gutters" strike out the semicolon and insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

“An act to amend chapter 398 of the Laws of 1876, entitled ‘An act to provide for the election and compensation of coroners in the county of Rensselaer,’ relative to the salary of coroner.” (No. 1719, Int. No. 1073.)

“An act to amend section 837 of the Greater New York charter, in relation to setting apart a certain pier in the borough of Manhattan for recreation purposes.” (No. 1715, Int. No. 742.)

“An act to amend sections 284 and 734 of The Greater New York Charter, in relation to the age qualifications of patrolmen and firemen.” (No. 1718, Int. No. 958.)

“An act to amend The Greater New York Charter relative to the appointment of a resident or property owner upon all commissions appointed to condemn property to public use.” (No. 1716, Int. No. 1047.)

“An act to amend chapter 546 of the Laws of 1896, entitled ‘An act relating to State charities, constituting chapter 26 of the general laws,’ relating to commitments to houses of refuge and reformatories for women.” (No. 1717, Int. No. 365.)

“An act to amend The Greater New York Charter, in relation to a division of notification in the department of finance, by adding a new section thereto to be designated section 1023-a.” (No. 1720, Int. No. 338.)

“An act to incorporate Grenell’s Island Park, in the St. Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort.” (No. 1714, Int. No. 72.)

“An act to amend section 1990 of the Code of Civil Procedure relative to orders of arrest and warrants of attachment.” (No. 1722, Int. No. 548.)

“An act to amend chapter 112 of the Laws of 1896, and the act amendatory thereof, relative to restrictions on the traffic in liquor in connection with other business.” (No. 1721, Int. No. 423.)

“An act to amend the Railroad Law, and to provide for the use

of safety fenders on cars propelled by electricity or cable in the streets of cities of this State." (No. 182, Int. No. 182.)

The Senate returned the bill (No. 1458) entitled "An act to amend chapter 253 of the Laws of 1885, relative to the investment of the trust funds of the Buffalo City Cemetery" (Int. No. 837), with a message that they have concurred in the passage of the same without amendment.

Mr. Boland moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Heller	Miles	Sears
Allds	De Graw	Henderson	Mohring	Sharkey
Apgar	Delaney	Henry	Murphy	Siems
Axtell	Dillon	Hill	O'Connell	Slater
Babcock	Doughty	Hitchcock	Palmer	Sloane A C
Baker	Dutton	Hoffman	Paris	Sloane J J
Ball	Egan	Hutton	Phillips	Smith J E
Barrett	Ellis	Johnson	Post	Smith J T
Bashford	Fallows	Juengst	Poth	Snyder
Baum	Fancher	Kane	Redington	Sprague
Bedell	Farrell	Kelley E E	Rierdon	Stoneman
Beede	Finn	Kelly G T	Roberts	Streiffer
Boland	Fish	Kelsey	Roche	Sullivan T P
Brennan E C	Fordyce	Kullman	Rodenbeck	Sullivan W J
Brewster	Fowler	Lewis M E	Rogers	Ten Eyck
Brown	Gale	Lewis T D	Rowe	Thorn
Bryan	Gallagher	Litchard	Russell	Torborg
Burnett	Gardiner	Maher	Sabine	Trainor
Cain	Gleason	Mangin	Sage H M	Tripp
Collier	Gould	Martin	Sage S B	Vincent
Collins	Green	Mason	Sanders	Ware
Costello	Greenwood	Mazet	Sandford	West
Cottle	Grossman	McEwan	Sands	Whipple
Cotton	Guider	McInerney	Sawyer	Wilson

Coughtry	Hallock	McKeown	Schmid A F	Wingenfeld
Cowles	Harburger	McMillan	Schmid F	Wissel
Darrison	Hatch	Meister	Schoeneck	Witter
Davis	Hays	Meyer		

Mr. Boland moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 1, line 2, strike out the word "eighty-five" and insert the word "eighty-seven."

Amend the title by striking out the word "eighty-five" and inserting the word "eighty-seven."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mazet, from the committee on affairs of cities, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate returned the bill (No. 706, Senate reprint No. 784) entitled "An act to provide for the disposition of moneys uncalled for and held, by the county treasurers of the State and by the comptroller of the city of New York, for the payment of jurors' fees" (Int. No. 220), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all of section 4, page 2, and insert the following:

"§ 4. Chapter one hundred and twenty-four of the laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the disposition of moneys held by county treasurers for the payment of juror's fees,' is hereby repealed."

Mr. Schoeneck moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage; and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

}	AYES	124	}
	NOES	00	

Those who voted in the affirmative, were

Adler	Cotton	Gardiner	Lewis T D	Sabine
Allds	Coughtry	Gleason	Litchard	Sage H M
Apgar	Cowles	Gould	Martin	Sanders
Axtell	Cross	Graham	Mason	Sandford
Babcock	Darrison	Green	Mazet	Sands
Baker	Davis	Greenwood	McEwan	Sawyer
Ball	Dean	Grossman	McInerney	Schmid F
Bashford	De Graw	Guider	McKeown	Schoeneck
Baum	Delaney	Hallock	McMillan	Sharkey
Bedell	Dillon	Harburger	Meister	Slater
Beede	Doughty	Hatch	Miles	Sloane J J
Boland	Dutton	Heller	Mohring	Smith J T
Brennan E	CEgan	Henderson	Murphy	Stoneman
Brennan J	FEllis	Henry	O'Connell	Sullivan T P
Brewster	Evarts	Hill	Palmer	Sullivan W J
Brown	Fallows	Hitchcock	Paris	Thorn
Bryan	Fancher	Hutton	Patton	Torborg
Bulkley	Farrell	Johnson	Pickett	Trainor
Burnett	Finn	Juengst	Post	Vincent
Cain	Fish	Kane	Riedman	Ware
Clark	Fitzgerald	Kelley E E	Roberts	Whipple
Collier	Fordyce	Kelly G T	Roche	Wilson
Collins	Fowler	Kelsey	Rogers	Wissel
Costello	Gale	Kullman	Rowe	Witter
Cottle	Gallagher	Lewis M E	Russell	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the bill (No. 534, Senate reprint No. 844) entitled "An act making an appropriation to compensate the commissioner appointed by the Governor by an order dated February 18, 1896, to inquire into the charges preferred against Edward J. H. Tamsen as sheriff of the city and county of New York" (Int. No. 507), with a message that they have concurred in the passage of the same with the following amendments:

Line 1, after the word "dollars" insert the words "or so much thereof as may be necessary."

Line 8 strike out the word "on" and insert the word "upon," also strike out the word "warrants" and insert the word "audit."

Mr. Apgar moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meyer	Schmid F
Allds	Darrison	Hatch	Miles	Schoeneck
Apgar	Davis	Heller	Mohring	Sears
Axtell	Dean	Henderson	Murphy	Sharkey
Babcock	De Graw	Hill	O'Connell	Siems
Baker	Delaney	Hitchcock	O'Connor	Slater
Ball	Doughty	Hoffman	Palmer	Sloane C A
Barrett	Dutton	Hutton	Paris	Sloane J J
Bashford	Egan	Johnson	Patton	Smith J E
Baum	Ellis	Juengst	Pickett	Smith J T
Bedell	Evarts	Kane	Post	Snyder
Beede	Fancher	Kelley E E	Poth	Sprague
Brennan E C	Farrell	Kelly G T	Redington	Stoneman
Brennan J F	Finn	Kelsey	Riedman	Streifler
Brewster	Fish	Kullman	Roberts	Sullivan W J
Bryan	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bulkley	Fordyce	Lewis T D	Rodenbeck	Thorn
Burnett	Fowler	Litchard	Rogers	Torborg
Cain	Gale	Martin	Rowe	Trainor
Collier	Gallagher	Mason	Russell	Tripp
Collins	Gardiner	Mazet	Sabine	Vincent
Costello	Gleason	McEwan	Sage S B	West
Cottle	Graham	McInerney	Sanders	Whipple
Cotton	Green	McKeown	Sandford	Wingenfeld
Coughtry	Grossman	McMillan	Sands	Wissel
Cowles	Guider	Meister	Schmid A F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

“An act to amend the Membership Corporations Law, relating

to agricultural corporations in new counties." (No. 1232, Int. No. 1043.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities." (No. 575, Int. No. 541.)

"An act in relation to the wearing of gowns or other habits by the attorneys and counsellors-at-law of the Supreme Court of the State." (No. 639, Int. No. 353.)

"An act to provide for the appointment of clerks to certain justices of the Supreme Court in the Eighth Judicial District." (No. 595, Int. No. 562.)

"An act to enable the Hedding Methodist Episcopal Church to convey its real property to the New York City Church Extension and Missionary Society of the Methodist Episcopal Church." (No. 524, Int. No. 497.)

"An act to authorize the village of Altamont, in the county of Albany, to borrow money and issue bonds or certificates of indebtedness therefor to pay judgments recovered against said village by Sarah B. Passenger and Mary A. Passenger." (No. 843, Int. No. 760.)

"An act to legalize the official acts of John J. Clute, a notary public of the county of Richmond acting in or for the county of New York." (No. 1069, Int. No. 688.)

"An act to incorporate the Trained Nurses United Aid Society of America." (No. 895, Int. No. 580.)

"An act to amend chapter 31 of the Laws of 1865, entitled 'An act to incorporate the New York Yacht Club.' " (No. 696, Int. No. 621.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. W. J. Sullivan offered for the consideration of the House a resolution in the words following:

Resolved, (if the Senate concur), that the bill (No. 88) entitled

"An act to authorize the city of Utica to borrow money for new schools and to issue bonds therefor" (Int. No. 88), heretofore recalled from the Governor, be returned to the Governor.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

A communication was received from Hon. W. J. P. Kingsley, mayor of the city of Rome, returning the bill (No. 640) entitled "An act to amend chapter 25 of the Laws of 1870, entitled 'An act to incorporate the city of Rome,' in relation to highways, streets and bridges and the tax for the improvement thereof" (Int. No. 316), with a message that said mayor does not approve said bill and does not accept the same, and that the common council of said city, after a public hearing thereon, does approve said bill and accept the same.

Mr. Speaker stated the question to be "Shall this bill become a law notwithstanding the objections of the mayor of the city of Rome, the same having been accepted by the common council, the legislative body of said city?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 134 }
{ NOES 2 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meyer	Sawyer
Allds	Darrison	Harburger	Miles	Schmid A F
Apgar	Davis	Hatch	Mohring	Schmid F
Axtell	Dean	Hays	Murphy	Sears
Babcock	DeGraw	Henderson	O'Connell	Sharkey
Baker	Delaney	Henry	O'Connor	Slater
Ball	Dillon	Hill	Palmer	Sloane C A
Barrett	Doughty	Hitchcock	Paris	Sloane J J
Bashford	Dutton	Hoffman	Patton	Smith J E
Baum	Egan	Hutton	Phillips	Snyder

Bedell	Ellis	Johnson	Pickett	Sprague
Beede	Evarts	Juengst	Post	Stoneman
Brennan E C	Fallows	Kane	Poth	Streifler
Brennan J F	Fancher	Kelley E E	Redington	Sullivan T P
Brewster	Finn	Kelsey	Riedman	Sullivan W J
Bryan	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roberts	Thorn
Burnett	Fordyce	Lewis T D	Roche	Torborg
Cain	Fowler	Litchard	Rodenbeck	Tripp
Clark	Gale	Martin	Rogers	Vincent
Collier	Gallagher	Mason	Rowe	Ware
Collins	Gardiner	Mazet	Russell	West
Costello	Gleason	McEwan	Sabine	Whipple
Cottle	Gould	McInerney	Sage H M	Wingenfeld
Cotton	Graham	McKeown	Sage S B	Wissel
Coughtry	Greenwood	McMillan	Sandford	Witter
Cowles	Guider	Meister	Sands	

Those who voted in the negative, were

Sanders Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. Thomas J. Van Alstyne, mayor of the city of Albany, returning the bill (No. 313) entitled "An act to enable the city of Albany to acquire title to land for the purpose of a public park to be known as Riverside park" (Int. No. 305), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. T. E. Kinney, mayor of the city of Utica, returning the bill (No. 89) entitled "An act to legalize the proceedings and vote taken in the city of Utica at the general election in 1898 for the appropriation of moneys to complete the free academy building in said city, and to erect and furnish a new school on Aiken street in said city" (Int. No. 89), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the concurrent resolution that the bill (No.

88) entitled "An act to authorize the city of Utica to borrow money for new schools and to issue bonds therefor" (Int. No. 88), heretofore recalled from the Governor, be returned to the Governor, with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mazet gave notice, that on some future day, he would move that Assembly Rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended, for the purpose of reading and passing out of its order the bill (No. 1645) entitled "An act to remove the police department in the city of New York from political control" (Int. No. 684).

Mr. Mazet gave notice, that on some future day, he would move that Assembly Rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended, for the purpose of reading and passing out of its order the bill (No. 711) entitled "An act to amend article 5 of the Executive Law relating to the Attorney-General" (Int. No. 686.)

Mr. Mazet gave notice, that on some future day, he would move that Assembly Rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended, for the purpose of reading and passing out of its order the bill (No. 1697) entitled "An act to establish a separate department of elections in the city of New York" (Int. No. 1311.)

Mr. Mazet gave notice, that on some future day, he would move that Assembly Rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended, for the purpose of reading and passing out of its order the bill (No. 710) entitled "An act to amend title 5 of the Penal Code in relation to offenses against the Election Laws" (Int. No. 685.)

Mr. Mazet gave notice that on Wednesday, March 22, he would call up the bill (No. 711) entitled "An act to amend article 5 of the Executive Law relating to the Attorney-General" (Int. No. 686), the same having been laid aside on the order of second reading.

Mr. Mazet gave notice that on Wednesday, March 22, he would call up the bill (No. 710) entitled "An act to amend title 5 of the

Penal Code in relation to offenses against the election laws" (Int. No. 685), the same having been laid aside on the order of second reading.

Mr. Mazet gave notice that on Wednesday, March 22, he would call up the bill (No. 1645) entitled "An act to remove the police department in the city of New York from political control" (Int. No. 684), the same having been laid aside on the order of second reading.

Mr. Mazet gave notice that on Wednesday, March 22, he would call up the bill (No. 1697) entitled "An act to establish a separate department of elections in the city of New York" (Int. No. 1311), the same having been laid aside on the order of second reading.

Mr. Murphy gave notice that on Wednesday, March 22, he would call up the bill (No. 1184) entitled "An act to amend the State Charities Law, relating to the licensing and regulation of dispensaries, by the State Board of Charities" (Int. No. 1015), the same having been laid aside on the order of second reading.

Mr. Murphy gave notice that on Wednesday, March 22, he would call up the bill (No. 722) entitled "An act to provide for the representation of women on boards of education" (Int. No. 675), the the same having been laid aside on the order of second reading.

Mr. Guider gave notice that on Wednesday, March 22, he would call up the bill (No. 339) entitled "An act relating to the rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company" (Int. No. 328), the same having been laid aside on the order of second reading.

The privileges of the floor were granted to Surrogate Noble, of Queens, and the Hon. John Williams, of Oneida.

By unanimous consent,

Mr. Axtell introduced a bill entitled "An act to amend the Fisheries, Game and Forest Law in relation to pheasants" (Int. No. 1376), which was read the first time.

On motion of Mr. Axtell, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on fisheries and game.

By unanimous consent,

Mr. Siems introduced a bill entitled "An act to amend chapter 998 of the Laws of 1896, entitled "An act to provide for the abatement and prevention of nuisances in and about Newtown creek, in the city of Brooklyn, and in the city of Long Island City, and to provide for the construction and maintenance of sewers for such purposes " (Int. No. 1380), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Streifler introduced a bill entitled "An act to amend subdivision 7 of section 17 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo, relating to licensing stationary engineers " (Int. No. 1378), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Sawyer introduced a bill entitled "An act to legalize the acts of C. Allington Davis, a notary public " (Int. No. 1374), which was read the first time.

On motion of Mr. Sawyer, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

By unanimous consent,

Mr. Ten Eyck introduced a bill entitled "An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions and political committees,' relative to the preparation of enrollment books by the custodian of primary records " (Int. No. 1379), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Riedman introduced a bill entitled "An act to amend section 674a of the Penal Code in relation to unauthorized wearing the badge or the button of the National Corps, Regular Army and Navy Union of the United States of America " (Int. No. 1375), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. W. J. Sullivan introduced a bill entitled "An act to amend an act in relation to labor, constituting chapter 32 of the general laws" (Int. No. 1377), which was read the first time.

On motion of Mr. W. J. Sullivan, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on labor and industries.

On motion of Mr. Allds, the House adjourned to meet to-morrow morning at 10 o'clock.

WEDNESDAY, MARCH 22, 1899.

The House met pursuant to adjournment.

Prayer by Rev. John J. Lawrence.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Apgar introduced a bill entitled "An act to amend chapter 337 of the Laws of 1893, entitled 'An act conferring additional powers upon trust companies within the counties of this State containing upwards of 300,000 and less than 600,000 inhabitants, as amended by chapter 73 of the Laws of 1898'" (Int. No. 1381), which was read the first time and referred to the committee on the judiciary.

Mr. Bedell introduced a bill entitled "An act to amend chapter 940 of the Laws of 1896, entitled 'An act incorporating the International Bond and Debenture Company as amended by chapter 203 of the Laws of 1898'" (Int. No. 1382), which was read the first time and referred to the committee on the judiciary.

Mr. Brown introduced a bill entitled "An act to amend the Town Law relating to the powers of town auditors" (Int. No. 1383), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend title 3 of part 5 of the

Code of Criminal Procedure relating to proceedings to authorize the modification of a judgment or remission of a fine " (Int. No. 1384), which was read the first time and referred to the committee on codes.

Mr. Cotton introduced a bill entitled "An act to amend the Poor Law in relation to relief of soldiers by Grand Army posts " (Int. No. 1385), which was read the first time and referred to the committee on military affairs.

Mr. Cross introduced a bill entitled "An act to amend chapter 58 of the Laws of 1890 entitled 'An act to incorporate the city of Corning, and the acts amendatory thereof and supplemental thereto' " (Int. No. 1386), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend the Fisheries, Game and Forest Law, relating to fishing in Keuka lake " (Int. No. 1387), which was read the first time and referred to the committee on fisheries and game.

Mr. Evarts introduced a bill entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina, and the acts amendatory thereof' " (Int. No. 1388), which was read the first time and referred to the committee on affairs of villages.

Mr. Finn introduced a bill entitled "An act providing for the licensing of the business of maintaining slot machines " (Int. No. 1389), which was read the first time and referred to the committee on general laws.

Mr. Fowler introduced a bill entitled "An act to amend chapter 117 of the Laws of 1888, entitled 'An act to incorporate Post James M. Brown Memorial Hall Association and to create a trust for the disposition of its funds and property' " (Int. No. 1390), which was read the first time and referred to the committee on the judiciary.

Mr. Grossman introduced a bill entitled "An act relating to the formation of co-operative manufacturing corporations, and for the promotion of agricultural productions " (Int. No. 1391), which was read the first time and referred to the committee on the judiciary.

Mr. Harburger introduced a bill entitled "An act to amend the Real Property Law" (Int. No. 1392), which was read the first time and referred to the committee on the judiciary.

Mr. Hoffman introduced a bill entitled "An act to better protect life and limb in case of fire in hotels in the city of New York" (Int. No. 1393), which was read the first time and referred to the committee on affairs of cities.

Mr. Maher introduced a bill entitled "An act to amend the Code of Criminal Procedure in relation to the time within which an application for a new trial may be made" (Int. No. 1394), which was read the first time and referred to the committee on codes.

Mr. McInerney introduced a bill entitled "An act to repeal chapter 605 of the Laws of 1898, incorporating the Genesee River Company" (Int. No. 1395), which was read the first time and referred to the committee on the judiciary.

Mr. Sabine (by request) introduced a bill entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city, and the acts amendatory thereof'" (Int. No. 1396), which was read the first time and referred to the committee on affairs of cities.

Mr. Schoeneck introduced a bill entitled "An act for the protection of the lives and property of residents of hotels or public or private institutions having accommodations for more than 25 persons" (Int. No. 1397), which was read the first time and referred to the committee on the judiciary.

Mr. Slater introduced a bill entitled "An act to amend section 2 of chapter 560 of the Laws of 1853, entitled 'An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal Church in the diocese of New York, passed July 18, 1853, as amended by chapter 15 of the Laws of 1887, passed February 16, 1887'" (Int. No. 1398), which was read the first time and referred to the committee on charitable and religious societies.

Also, a bill entitled "An act to amend section 2 and 10 of chap-

ter 102 of the Laws of 1893, entitled 'An act to lay out, establish and regulate a public driveway in the city of New York' " (Int. No. 1399), which was read the first time and referred to the committee on affairs of cities.

Mr. J. J. Sloane (by request) introduced a bill entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws' " (Int. No. 1400), which was read the first time and referred to the committee on the judiciary.

Mr. T. P. Sullivan introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit, and determine the alleged claim of Mary A. A. Frey (formerly known as Mary A. A. Fleming), against the State for damages sustained by her and to render judgment therefor " (Int. No. 1401), which was read the first time and referred to the committee on claims.

Mr. Thorn introduced a bill entitled "An act to provide for the application of the moneys received by the supervisors of the Town of Rosendale in the county of Ulster under the Liquor Tax Law " (Int. No. 1402), which was read the first time and referred to the committee on internal affairs.

Mr. Vincent introduced a bill entitled "An act to amend the Railroad Law, relative to grade crossings " (Int. No. 1403), which was read the first time and referred to the committee on railroads.

Also, a bill entitled "An act concerning the registration of land titles " (Int. No. 1404), which was read the first time and referred to the committee on the judiciary.

Mr. West introduced a bill entitled "An act to amend chapter 422 of the Laws of 1898, entitled 'An act to license and regulate the business of private detectives and detective agencies' " (Int. No. 1405), which was read the first time and referred to the committee on the judiciary.

Mr. M. E. Lewis introduced a bill entitled "An act in relation to the collection of taxes in Monroe county, and to authorize and provide for the sale of property for unpaid taxes in said county " (Int. No. 1406), which was read the first time and referred to the committee on internal affairs.

Mr. Collier introduced a bill entitled "An act in relation to the acquisition of certain land in the borough of Brooklyn for a public square or open place" (Int. No. 1407), which was read the first time and referred to the committee on affairs of cities.

Mr. Davis introduced a bill entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to renew a lease of certain lots to the Orphans' Home and Asylum of the Protestant Episcopal Church in New York" (Int. No. 1408), which was read the first time.

On motion of Mr. Davis, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	Darrison	Hays	Meyer	Sawyer
Apgar	Davis	Heller	Murphy	Schmid A F
Axtell	Dean	Henderson	O'Connell	Sears
Babcock	De Graw	Henry	Palmer	Siems
Baker	Delaney	Hill	Paris	Slater
Barrett	Doughty	Hitchcock	Patton	Sloane C A
Baum	Dutton	Hoffman	Pickett	Smith J T
Bedell	Egan	Johnson	Post	Snyder
Beede	Fallows	Kane	Poth	Sprague
Brewster	Fancher	Kelley E E	Rierdon	Stoneman
Bryan	Fish	Kelsey	Roberts	Streifler
Bulkley	Fitzgerald	Kullman	Rodenbeck	Sullivan T P
Burnett	Fowler	Lewis T D	Rogers	Thorn
Cain	Gale	Litchard	Rowe	Torborg
Clark	Gardiner	Maher	Russell	Tripp
Collier	Gould	Martin	Sabine	Vincent
Costello	Graham	Mazet	Sage H M	Ware
Cottle	Green	McEwan	Sage S B	West
Cotton	Greenwood	McKeown	Sanders	Whipple
Coughtry	Hallock	McMillan	Sanford	Wilson
Cowles	Harburger	Meister	Sands	Witter
Cross				

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with

Messrs. Ellis, Wissel, Hatch and Fordyce, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Pursuant to notice, Mr. Mazet called up the bill (No. 1645) entitled "An act to remove the police department of the city of New York from political control" (Int: No. 684), heretofore laid aside on the order of second reading.

Said bill having been announced for a third reading,

Pursuant to notice, Mr. Mazet offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended for the purpose of reading and passing out of its order Assembly bill (No. 1645) entitled "An act to remove the police department of the city of New York from political control." (Int. No. 684.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
 { NOES 50 }

Those who voted in the affirmative, were

Allds	Cowles	Gleason	Mason	Sawyer
Apgar	Cross	Graham	Mazet	Slater
Axtell	Darrison	Greenwood	McEwan	Sloane C A
Babcock	Davis	Hallock	McMillan	Smith J T
Baker	De Graw	Hatch	Murphy	Snyder
Bedell	Delaney	Hays	Paris	Sprague
Beede	Doughty	Henry	Patton	Stoneman
Brennan E O	Dutton	Hill	Post	Thorn
Brewster	Ellis	Hitchcock	Roberts	Tripp
Bryan	Evarts	Johnson	Rodenbeck	Vincent
Burnett	Fallows	Kelley E E	Rogers	Ware
Clark	Fancher	Kelsey	Rowe	West
Collier	Fish	Lewis M E	Russell	Whipple
Costello	Fordyce	Lewis T D	Sabine	Wilson
Cottle	Fowler	Litchard	Sage H M	Witter
Cotton	Gardiner	Martin	Sandford	Speaker
Coughtry				

Those who voted in the negative, were

Ball	Gale	Kelly G T	Phillips	Schmid F
Barrrett	Gould	Kullman	Pickett	Schoeneck
Baum	Green	Maher	Poth	Sharkey
Brown	Grossman	Mangin	Redington	Siems
Bulkley	Guider	McKeown	Riedman	Smith J E
Cain	Harburger	Meister	Rierdon	Streifler
Dean	Heller	Meyer	Roche	Sullivan T P
Egan	Henderson	Mohring	Sage S B	Sullivan W J
Finn	Hoffman	O'Connell	Sanders	Trainor
Fitzgerald	Kane	Palmer	Schmid A F	Wissel

Mr. Palmer moved to amend said bill as follows:

Page 5, line 6, strike out the word "governor" and insert the word "mayor."

Same page, line 13, strike out the word "governor" and insert the word "mayor."

Same page, lines 15 and 17, strike out the word "governor" and insert the word "mayor."

By unanimous consent, Mr. Phillips moved to amend said bill as follows:

Page 4, line 23, to page 5 line 2, strike out the words "It shall be the duty of the state superintendent of elections at all times to diligently inquire and from time to time and at least once in the month of September in each year to report to the governor of the state whether and in what manner and to what extent said provisions are obeyed."

By unanimous consent, Mr. Collins moved to amend said bill as follows:

Page 5, line 12, after the word "defense" insert the words "He shall be entitled to be represented by counsel, and the governor shall cause to be subscribed, at the time of such hearing, minutes of the testimony and evidence taken and introduced. The determination on said proceeding and charges both as to legality and sufficiency shall be subject to review by the supreme court on certiorari."

Same page, line 2, after the word "office" insert the words "In the event of a reinstatement by the courts of the commissioner of police, the deputy commissioner, ceasing to hold office, by reason of the removal of said commissioner, shall be reinstated with the same rights, privileges and emolument as of the date he so ceased to hold office."

By unanimous consent, Mr. Hoffman moved to amend said bill as follows:

Page 1, line 2, after the word "department" strike out the words "of the city of New York" and insert the words "in every city of this state."

Page, 5, line 23, strike out the words "city of New York" and insert the words "of any city of this state."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	De Graw	Hatch	Mohring	Schmid F
Apgar	Delaney	Hays	Murphy	Schoeneck
Axtell	Dillon	Heller	O'Connell	Sears
Babcock	Doughty	Henderson	O'Connor	Sharkey
Baker	Dutton	Henry	Palmer	Siems
Ball	Egan	Hill	Paris	Slater
Barrett	Ellis	Hitchcock	Patton	Sloane C A
Baum	Evarts	Hoffman	Phillips	Sloane J J
Bedell	Fallows	Johnson	Pickett	Smith J E
Beede	Fancher	Kane	Post	Smith J T
Boland	Farrell	Kelley E E	Poth	Snyder
Brennan J F	Finn	Kelly G T	Redington	Sprague
Brewster	Fish	Kelsey	Riedman	Stoneman
Brown	Fitzgerald	Kullman	Rierdon	Streifler
Bryan	Fordyce	Lewis M E	Roberts	Sullivan T P
Bulkley	Fowler	Lewis T D	Roche	Sullivan W J
Burnett	Gale	Litchard	Rodenbeck	Ten Eyck
Cain	Gallagher	Mangin	Rogers	Thorn
Clark	Gardiner	Martin	Rowe	Torborg
Collier	Gleason	Mason	Russell	Trainor
Collins	Gould	Mazet	Sabine	Tripp
Costello	Graham	McEwan	Sage H M	Vincent
Cottle	Green	McInerney	Sage S B	West
Cotton	Greenwood	McKeown	Sanders	Whipple
Coughtry	Grossman	McMillan	Sandford	Wilson
Cowles	Guider	Meister	Sands	Wingenfeld
Cross	Hallock	Meyer	Sawyer	Wissel
Darrison	Harburger	Miles	Schmid A F	Witter
Davis				

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker stated the question to be upon the motion of Mr. Palmer, to amend said bill.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Palmer, and it was determined in the negative.

{ AYES 56 }
{ NOES 84 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Kelly G T	Palmer	Schoeneck
Barrett	Gale	Kullman	Phillips	Sharkey
Baum	Gallagher	Maher	Pickett	Siems
Boland	Gould	Mangin	Poth	Sloane J J
Brennan J F	Green	McInerney	Redington	Smith J E
Cain	Guider	McKeown	Riedman	Streifler
Collins	Harburger	Meister	Rierdon	Sullivan T P
Dean	Heller	Meyer	Roche	Torborg
Dillon	Henderson	Mohring	Sage S B	Trainor
Egan	Hoffman	O'Connell	Sanders	Wingenfeld
Farrell	Kane	O'Connor	Schmid A F	Wissel
Finn				

Those who voted in the negative, were

Allds	Coughtry	Gleason	Mazet	Sawyer
Apgar	Cowles	Graham	McEwan	Sears
Axtell	Cross	Greenwood	McMillan	Slater
Babcock	Darrison	Hallock	Miles	Sloane C A
Baker	Davis	Hatch	Murphy	Smith J T
Bedell	De Graw	Hays	Paris	Snyder
Beede	Delaney	Henry	Patton	Sprague
Brennan E	CDoughty	Hill	Post	Ten Eyck
Brewster	Dutton	Hitchcock	Roberts	Thorn
Bryan	Ellis	Johnson	Rodenbeck	Tripp
Bulkley	Evarts	Kelley E E	Rogers	Vincent
Burnett	Fallows	Kelsey	Rowe	West
Clark	Fancher	Lewis M E	Russell	Whipple

Collier	Fish	Lewis T D	Sabine	Wilson
Costello	Fordyce	Litchard	Sage H M	Witter
Cottle	Fowler	Martin	Sandford	Speaker
Cotton	Gardiner	Mason	Sands	

Mr. Speaker stated the question to be upon the motion of Mr. Phillips, to amend said bill.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Phillips, and it was determined in the negative.

Mr. Speaker stated the question to be upon the motion of Mr. Collins, to amend said bill.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Collins, and it was determined in the negative.

Mr. Speaker stated the question to be upon the motion of Mr. Hoffman, to amend said bill.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hoffman, and it was determined in the negative.

(AYES 60)
(NOES 85)

Those who voted in the affirmative, were

Ball	Finn	Kane	Palmer	Schoeneck
Barrett	Fitzgerald	Kelly G T	Phillips	Sharkey
Baum	Gale	Kullman	Pickett	Siems
Boland	Gallagher	Maher	Poth	Sloane J J
Brennan J F	Gould	Mangin	Redington	Smith J E
Brown	Green	McInerney	Riedman	Streifler
Cain	Grossman	McKeown	Rierdon	Sullivan T P
Collins	Guider	Meister	Roche	Sullivan W J
Dean	Harburger	Meyer	Sage S B	Torborg
Dillon	Heller	Mohring	Sanders	Trainor
Egan	Henderson	O'Connell	Schmid A F	Wingenfeld
Farrell	Hoffman	O'Connor	Schmid F	Wissel

Those who voted in the negative, were

Allds	Coughtry	Gleason	Mazet	Sawyer
Apgar	Cowles	Graham	McEwan	Sears
Axtell	Cross	Greenwood	McMillan	Slater
Babcock	Darrison	Hallock	Miles	Sloane C A
Baker	Davis	Hatch	Murphy	Smith J T
Bedell	De Graw	Hays	Paris	Snyder

Beede	Delaney	Henry	Patton	Sprague
Brennan E C	Doughty	Hill	Post	Stoneman
Brewster	Dutton	Hitchcock	Roberts	Ten Eyck
Bryan	Ellis	Johnson	Rodenbeck	Thorn
Bulkley	Evarts	Kelley E E	Rogers	Tripp
Burnett	Fallows	Kelsey	Rowe	Vincent
Clark	Fancher	Lewis M E	Russell	West
Collier	Fish	Lewis T D	Sabine	Whipple
Costello	Fordyce	Litchard	Sage H M	Wilson
Cottle	Fowler	Martin	Sandford	Witter
Cotton	Gardiner	Mason	Sands	Speaker

Said bill was then read the second time.

Mr. Mazet moved that said bill be placed on the order of third reading.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Mazet, and it was determined in the affirmative.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 84 }
{ NOES 61 }

Those who voted in the affirmative, were

Allds	Cowles	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater
Axtell	Darrison	Hallock	Miles	Sloane C A
Babcock	Davis	Hatch	Murphy	Smith J T
Baker	De Graw	Hays	Paris	Snyder
Bedell	Delaney	Henry	Patton	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Ten Eyck

Brewster	Ellis	Johnson	Rodenbeck	Thorn
Bryan	Evarts	Kelley E E	Rogers	Tripp
Burnett	Fallows	Kelsey	Rowe	Vincent
Clark	Fancher	Lewis M E	Russell	West
Collier	Fish	Lewis T D	Sabine	Whipple
Costello	Fordyce	Litchard	Sage H M	Wilson
Cottle	Fowler	Martin	Sandford	Witter
Cotton	Gardiner	Mason	Sands	Speaker
Coughtry	Gleason	Mazet	Sawyer	

Those who voted in the negative, were

Ball	Finn	Kane	Palmer	Schoeneck
Barrett	Fitzgerald	Kelly G T	Phillips	Sharkey
Baum	Gale	Kullman	Pickett	Siems
Boland	Gallagher	Maher	Poth	Sloane J J
Brennan J F	Gould	Mangin	Redington	Smith J E
Brown	Green	McInerney	Riedman	Streifler
Bulkley	Grossman	McKeown	Rierdon	Sullivan T P
Cain	Guider	Meister	Roche	Sullivan W J
Collins	Harburger	Meyer	Sage S B	Torborg
Dean	Heller	Mohring	Sanders	Trainor
Dillon	Henderson	O'Connell	Schmid A F	Wingenfeld
Egan	Hoffman	O'Connor	Schmid F	Wissel
Farrell				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to notice Mr. Mazet called up the bill (No. 1697) entitled "An act to establish a separate department of elections in the city of New York" (Int. No. 1311), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

Pursuant to notice, Mr. Mazet offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended for the purpose of reading and passing out of its order Assembly bill No. 1697, entitled "An act to establish a separate department of elections in the city of New York." (Int. No. 1311.)

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 82 }
{ NOES 51 }

Those who voted in the affirmative, were

Allds	Darrison	Hatch	Miles	Slater
Apgar	Davis	Hays	Murphy	Sloane C A
Babcock	De Graw	Henry	Paris	Smith J T
Baker	Delaney	Hill	Patton	Snyder
Bedell	Doughty	Hitchcock	Post	Sprague
Beede	Dutton	Johnson	Roberts	Stoneman
Brennan EC	Ellis	Kelley E E	Rodenbeck	Ten Eyck
Brewster	Evarts	Kelsey	Rogers	Thorn
Bryan	Fallows	Lewis M E	Rowe	Tripp
Bulkley	Fancher	Lewis T D	Russell	Vincent
Burnett	Fish	Litchard	Sabine	Ware
Clark	Fowler	Martin	Sage H M	West
Costello	Gardiner	Mason	Sandford	Whipple
Cottle	Gleason	Mazet	Sands	Wilson
Cotton	Graham	McEwan	Sawyer	Witter
Cowles	Greenwood	McMillan	Sears	Speaker
Cross	Hallock			

Those who voted in the negative, were

Ball	Green	Maher	Redington	Siems
Barrett	Grossman	McKeown	Riedman	Sloane J J
Baum	Guider	Meister	Rierdon	Smith J E
Boland	Harburger	Meyer	Roche	Streifler
Collins	Heller	O'Connell	Sage S B	Sullivan T P
Dean	Henderson	O'Connor	Sanders	Sullivan W J
Dillon	Hoffman	Palmer	Schmid A F	Torborg
Finn	Kane	Phillips	Schmid F	Trainor
Fitzgerald	Kelly G T	Pickett	Schoeneck	Wingenfeld
Gale	Kullman	Poth	Sharkey	Wissel
Gould				

Mr. Hoffman moved to amend said bill as follows:

Page 3, line 1, after the word "Branches" strike out the words "officers, clerks, assistants and employes."

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hoffman, and it was determined in the negative.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	Davis	Hallock	O'Connell	Sears
Apgar	Dean	Harburger	O'Connor	Sharkey
Babcock	De Graw	Hatch	Palmer	Siems
Baker	Delaney	Hays	Paris	Slater
Ball	Dillon	Heller	Patton	Sloane C A
Barrett	Dutton	Henry	Phillips	Sloane J J
Baum	Egan	Hill	Pickett	Smith J E
Bedell	Ellis	Hitchcock	Post	Smith J T
Beede	Evarts	Hoffman	Poth	Snyder
Boland	Fallows	Johnson	Redington	Sprague
Brennan E C	Fancher	Kane	Riedman	Stoneman
Brennan J F	Farrell	Kelley E E	Rierdon	Streifer
Brewster	Finn	Kelly G T	Roberts	Sullivan T P
Brown	Fish	Kelsey	Roche	Sullivan W J
Bryan	Fitzgerald	Kullman	Rodenbeck	Ten Eyck
Bulkley	Fordyce	Lewis M E	Rogers	Thorn
Burnett	Fowler	Lewis T D	Rowe	Torborg
Cain	Gale	Litchard	Russell	Trainor
Clark	Gallagher	Mangin	Sabine	Tripp
Collier	Gardiner	Martin	Sage H M	Vincent
Collins	Gleason	Mason	Sage S B	Ware
Costello	Gould	Mazet	Sanders	West
Cottle	Graham	McEwan	Sandford	Whipple
Cotton	Green	McMillan	Sands	Wilson
Coughtry	Greenwood	Meister	Schmid A F	Wingenfeld
Cowles	Grossman	Meyer	Schmid F	Wissel
Cross	Guider	Murphy	Schoeneck	Witter
Darrison				

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Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 57 }

Those who voted in the affirmative, were

Allds	Cowles	Greenwood	McMillan	Slater
Apgar	Cross	Hallock	Murphy	Sloane C A
Babcock	Darrison	Hatch	Paris	Smith J T
Baker	Davis	Hays	Patton	Snyder
Bedell	De Graw	Henry	Post	Sprague
Beede	Delaney	Hill	Roberts	Stoneman
Brennan E C	Dutton	Hitchcock	Rodenbeck	Ten Eyck
Brewster	Ellis	Johnson	Rogers	Thorn
Bryan	Evarts	Kelley E E	Rowe	Tripp
Bulkley	Fallows	Kelsey	Russell	Vincent
Burnett	Fancher	Lewis M E	Saline	Whipple
Clark	Fish	Lewis T D	Sage H M	Wilson
Collier	Fordyce	Litchard	Sandford	Ware
Costello	Fowler	Martin	Sands	West
Cottle	Gardiner	Mason	Sawyer	Witter
Cotton	Gleason	Mazet	Sears	Speaker
Coughtry	Graham	McEwan		

Those who voted in the negative, were

Ball	Fitzgerald	Kelly G T	Pickett	Sharkey
Barrett	Gale	Kullman	Poth	Siems
Baum	Gallagher	Maher	Redington	Sloane J J
Boland	Gould	Mangin	Riedman	Smith J E
Brennan J F	Green	McKeown	Rierdon	Streifler
Brown	Grossman	Meister	Roche	Sullivan T P
Cain	Guider	Meyer	Sage S B	Sullivan W J
Collins	Harburger	O'Connell	Sanders	Torborg
Dillon	Heller	O'Connor	Schmid A F	Trainor
Egan	Hoffman	Palmer	Schmid F	Wingenfeld
Farrell	Hutton	Phillips	Schoeneck	Wissel
Finn	Kane			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Pursuant to notice, Mr. Mazet called up the bill (No. 710) entitled "An act to amend title 5 of the Penal Code in relation to

offenses against the election laws" (Int. No. 685), heretofore laid aside on the order of second reading.

Pursuant to notice, Mr. Mazet offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49 and 52, be suspended for the purpose of reading and passing out of its order Assembly bill No. 710, entitled "An act to amend title 5 of the Penal Code in relation to offenses against the election laws." (Int. No. 685.)

Mr. Palmer.—I desire to raise the point of order that this bill is not properly upon the calendar, or not properly before this House. First, as I understand it, Rule 54, was not one of the rules included in the motion of the gentleman. (Reads Rule 54.) My point of order is that the bill in its title does not refer to the chapter of the Penal Code, giving the number of the chapter.

Mr. Allds.—I desire simply to make the statement that the Penal Code being a general law is under the general laws of the general law entitled to be quoted as "The Penal Code," under the provisions of the statute. The title in this bill clearly complies with Rule 54.

Mr. Palmer.—Mr. Speaker, Rule 54 says that on the section of the Code as amended, the title must refer to the chapter and number of the chapter. I hold in my hand the Penal Code; I care not whether it is penal, civil or criminal—and it starts off by, "Laws of 1881, chapter 676—and if you will follow through the Penal Code you will see, chapter 8, chapter 9, or 7, as a part of the Laws of 1881, chapter 676.

Mr. Allds.—Mr. Speaker, under the Statutory Construction Law and the practices of this House there can be no doubt that this bill is printed in conformity to what it has always accepted as the rule of the House. This distinctly announces that it amends the Penal Code; that is the name of the statute. It also announces the respect in which it attempts to amend it, as a brief reference to the proposed amendment. There is no necessity for underscoring because there is no old matter to be separated from new matter in this bill. On its own face it carries the statement

that it is the act—that this is new matter. I can see nothing in either point raised by the gentleman. I trust the Speaker is well aware that what is the general law known as the Statutory Construction Law has been passed subsequent to this rule as was adopted by the House—

Mr. Palmer.—I desire to say, whether any Statutory Construction Act exists or not, this rule was adopted by this House since the adoption of the Statutory Construction Act, in the very beginning of this session—

Mr. Speaker.—The Chair desires to say that the references always made have been to the Penal Code, Civil Code, the Code of Criminal Procedure. Those have always been the titles of the bills and have been considered as sufficient reference to the statute proposed to be amended. Now, the Code of Civil Procedure amendments have always been in compliance with this rule—reference has always been made to the Code of Civil Procedure or the Code of Criminal Procedure as referring to the general statute. It seems to me that the point of order is an extremely technical one as raised by the gentleman from Schoharie.

Mr. Palmer.—I am raising the point of order upon the language of the rules adopted by this House; that must refer to the chapter amended.

Mr. Hill.—It would be impossible to refer to a chapter of the Code of Civil Procedure which is amended, when you consider the fact that there are sometimes six, eight and ten or more amendments by individual chapters to certain provisions of the Code. We read the Code as an entirety with all of the amendments; and it is referred to in all the bills that come before the codes committee as the Penal Code, and very rarely by chapter. If a person were to cite the penal code by chapter 5 under Laws of 1894, no one would know what was referred to. It is one of the safeguards as well as one of the conveniences of the House that you have a code which can be referred to in its entirety, which embodies hundreds of chapters.

Mr. Allds.—There has not been a code bill passed in this House but what would be open to the same objection, year in and year

out, week in and week out; and there can't be any discount about this proposition, that this is purely a dilatory motion on the part of the gentleman.

Mr. Speaker.—The Chair appreciates that fact.

Mr. Palmer.—I am willing that the motion should be characterized by the other side whatever you may want to, but nevertheless it is standing by the rule of the House—

Mr. Speaker.—The Chair appreciates the point of order raised by the gentleman from Schoharie; and the disposition of the Chair is to live uniformly and fairly up to this rule. But the Chair desires to call the attention of the gentleman from Schoharie to the fact that if technical objection and points of order of this kind are to be raised and uniformly sustained, it is going to do very much to extend and retard the business of this House. If the gentleman from Schoharie insists upon his ruling, and is not willing to withdraw this proposition, simply as a technical proposition, the Chair will rule upon the question.

Mr. Palmer.—I insist on that.

Mr. Speaker.—The Chair rules the point of order well taken, under that reference. The Chair furthermore, will insist that every bill appearing here upon the calendar must conform to this rule in the future. There will be no bill go by this desk by unanimous consent or otherwise if technical objections are going to be raised to bills which are more or less political in their nature, that same objection will be raised by the Chair each day to all these bills.

Mr. Green.—We simply desired a ruling on this very important point. I desire frankly to acknowledge that we are satisfied with the fairness of the Chair in making this disposition of the point of order raised by the gentleman from Schoharie; and I now give way to the gentleman from Schoharie.

Mr. Finn.—There is no doubt that the rules were made here for the protection of the minority, in a sense. And this is one of the rules that the majority has overlooked in presenting their motion to suspend the rules. There is no doubt that you will pass this bill in this House. Under the circumstances, and believing in

the fairness of the Speaker of this House in ruling on that motion or point of order, I trust that the leader of the minority will withdraw his objection. I believe it is no more than fair—we will have this bill to-morrow morning, anyhow—and I trust he will do that.

Mr. Palmer.—I desire to say that if I thought there was anything different contained in this act except one or two words than that contained in the act already passed this House, and if I thought that the Speaker of this House had previously treated the minority unfairly, to stand here and insist upon that objection. But the Speaker of this House has very fairly disposed of this objection by sustaining the point of order raised by the minority. I do not think there is anything to be gained by this point of order for the reason that the same language contained in this bill is contained in the bill already passed this House. I therefore withdraw my objection and withdraw the point of order, after having the ruling of the Chair upon it.

Mr. Speaker.—The Chair appreciates the position of the minority upon this bill. And he desires again to call the attention of the members to the fact that in his judgment he does not believe it is fair to raise this proposition upon one bill and waive it upon another. And by way of illustration—I will call the attention of my friend from Schoharie to a bill of his own, 1344, which is exactly in the same position—no reference is made to it, and it would seem to me that this rule—1344, introduced by Mr. Palmer, amending the Code—there is no reference to the title in that bill. Now, the Chair does not wish to be called upon to say that bill is not properly upon the calendar; and I appreciate the fact that upon the technical ruling the Chair would be compelled to rule with the gentleman from Schoharie. But it has been my observation that the reference to all code bills has always been made in this same way to either the Code of Civil or the Code of Criminal Procedure.

Mr. Palmer.—If my bill is to be referred to as a part of this argument, I almost feel constrained to renew my motion, and let my bill go under the ruling.

Mr. Speaker.—The Chair did not desire to refer to it as part of the argument, but simply to show the practice of members in introducing their bills, the majority of these bills in referring to this title—

Mr. Palmer.—I desire to say that the bill to which reference is made was not drawn by me; it was handed to me by a friend, who perhaps, knows more about legislative law than I do. I am not responsible for the drawing of that bill or the framing of its title introduced by request of another. And my knowledge, limited as it may be, of the rules of this House, is not to be guided or governed by that bill which I introduced for another—

Mr. Speaker.—The Chair was not calling attention to this fact as a matter of personal reference; but simply to show what has been the custom prevailing with members of the House—and especially with the attorneys—as the majority of code bills come from attorneys of the House. It would certainly appear that the intent of this rule was to give primarily by an immediate reading of the bill an idea what the bill referred to. The Chair is of the opinion that the correction of titles and the question of under-scoring ought to be provided for and taken care of upon the order of second reading; that is the order under which bills are supposed to be perfected and corrected.

Mr. Hill.—Mr. Speaker, do we understand the objection withdrawn.

Mr. Speaker.—The objection is withdrawn.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	De Graw	Hays	Murphy	Sears
Apgar	Delaney	Heller	O'Connell	Sharkey
Babcock	Dillon	Henderson	O'Connor	Siems
Baker	Doughty	Henry	Palmer	Slater
Ball	Dutton	Hill	Paris	Sloane C A
Barrett	Egan	Hitchcock	Patton	Sloane J J
Baum	Ellis	Hoffman	Phillips	Smith J E
Bedell	Evarts	Hutton	Post	Smith J T

Beede	Fallows	Johnson	Poth	Snyder
Boland	Fancher	Kane	Redington	Sprague
Brennan E C	Farrell	Kelley E E	Riedman	Stoneman
Brennan J F	Fish	Kelly G T	Rierdon	Streifler
Brewster	Fitzgerald	Kelsey	Roberts	Sullivan T P
Bryan	Fordyce	Kullman	Roche	Sullivan W J
Bulkley	Fowler	Lewis M E	Rodenbeck	Ten Eyck
Burnett	Gale	Lewis T D	Rogers	Thorn
Cain	Gallagher	Litchard	Rowe	Torborg
Clark	Gardiner	Maher	Sabine	Trainor
Collier	Gleason	Mangin	Sage H M	Tripp
Collins	Gould	Martin	Sage S B	Vincent
Costello	Graham	Mason	Sanders	Ware
Cottle	Green	Mazet	Sandford	West
Cotton	Greenwood	McEwan	Sands	Whipple
Coughtry	Grossman	McKeown	Sawyer	Wilson
Cowles	Guider	McMillan	Schmid A F	Wingenfeld
Cross	Hallock	Meister	Schmid F	Wissel
Darrison	Hatch	Meyer	Schoeneck	Witter
Davis				

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 83 }
{ NOES 59 }

Those who voted in the affirmative, were

Allds	Cross	Greenwood	McMillan	Slater
Apgar	Darrison	Hallock	Murphy	Sloane C A
Babcock	Davis	Hatch	Paris	Smith J T
Baker	De Graw	Hays	Patton	Snyder
Bedell	Delaney	Henry	Post	Sprague
Beede	Doughty	Hill	Roberts	Stoneman
Brennan E C	Dutton	Hitchcock	Rodenbeck	Ten Eyck
Brewster	Ellis	Johnson	Rogers	Thorn
Bryan	Evarts	Kelley E E	Rowe	Tripp
Burnett	Fallows	Kelsey	Russell	Vincent
Clark	Fancher	Lewis M E	Sabine	Ware
Collier	Fish	Lewis T D	Sage H M	West
Costello	Fordyce	Litchard	Sandford	Whipple
Cottle	Fowler	Martin	Sands	Wilson
Cotton	Gardiner	Mason	Sawyer	Witter
Coughtry	Gleason	Mazet	Sears	Speaker
Cowles	Graham	McEwan		

Those who voted in the negative, were

Ball	Finn	Hutton	Palmer	Sharkey
Barrett	Fitzgerald	Kane	Phillips	Siems
Baum	Gale	Kelly G T	Poth	Sloane J J
Boland	Gallagher	Kullman	Redington	Smith J E
Brennan J F	Gould	Maher	Riedman	Streifer
Bulkley	Green	Mangin	Rierdon	Sullivan T P
Cain	Grossman	McInerney	Roche	Sullivan W J
Collins	Guider	McKeown	Sage S B	Torborg
Dean	Harburger	Meister	Sanders	Trainor
Dillon	Heller	Meyer	Schmid A F	Wingenfeld
Egan	Henderson	O'Connell	Schmid F	Wissel
Farrell	Hoffman	O'Connor	Schoeneck	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Darrison, Int. No. 1257, entitled "An act to amend section 23 of the Public Officers' Law, relating to removals by the Governor" (No. 1603), reported in favor of the passage of the same without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was

recommitted the bill introduced by the special committee to investigate the Surrogates' Court in New York county, Int.No.1316, entitled "An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings" (No. 1702), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Hays, Int.No.1018, entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York" (No. 1187), reported in favor of the passage of the same, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 933, entitled "An act relating to attendants upon the Supreme Court and county court, in and for the county of Monroe" (No. 1066), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was recommitted the bill introduced by the special committee to investigate the Surrogates' Court in New York county, Int.No.1317, entitled "An act for the protection of creditors of a decedent" (No. 1703), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. J.J. Sloane, Int.No.798, entitled "An act legalizing certain expenditures made by the board of education in the city of Yonkers prior to the 1st day of July, in the year 1897" (No. 886), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Post (No. 1283) entitled "An act to release to Charles S. Daily all the right, title and interest of the people of the State of New York in and to certain real estate in Islip, Suffolk county, N. Y." (Int. No. 1070), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Slater, Int. No. 1328, entitled "Concurrent resolution proposing an amendment to section 2 of article 6 of the Constitution" (No. 1736), reported in favor of the passage of the same, with the following amendments:

After the title insert the following: "Whereas, The legislature, at its regular session in eighteen hundred and ninety-eight, duly adopted resolutions providing for an amendment to the constitution relating to temporary designations by the governor of justices to the appellate division, and which resolution was referred to the legislature to be chosen at the general election of senators, and directed to be published in accordance with section one of article fourteen of the constitution, and

"Whereas, Such resolutions have been duly published in accordance with law and the constitution, and referred to the legislature for action therefore."

The title to read as follows: After the word "constitution" insert the words "relating to temporary designations by the governor of justices to the appellate division."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Fallows, Int. No. 1293, entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging-house keepers" (No. 1757), reported in favor of the passage of the same, with the following amendments:

Page 2, lines 7 and 8, strike out the brackets around the words "when brought."

Same page, add section 2, reading as follows: "This act shall take effect immediately."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Henry, Int. No. 1106, entitled "An act to amend chapter 179 of the general laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees'" (No. 1781), reported the same with the following amendments:

Page 17, line 13, strike out the words "within fifteen days thereafter" and insert the words "at least thirty days prior to such official primary day."

Page 31, beginning on line 20, strike out all down to and including the word "day" on line 17, page 32, and insert in place thereof the following: "provided, however, that in any county having within its limits a city of the first class, there shall be in each even numbered year and in each odd numbered year in which officers of the state, other than members of the legislature are to be elected, two annual primary days, the first on the seventh Tuesday before each day of general election and the second on the fifth Tuesday before such day of general election. On the first of such days shall be held the primary elections for the purpose of electing delegates to such conventions as are made up of delegates representing more than one county or of electing delegates to conventions to choose delegates to conventions which are made up of delegates representing more than one county; and on the second of such days shall be held the primary elections for the election of other delegates, the nomination of candidates and the election of committeemen, as provided in this subdivision one, of section four of this act. Nothing herein contained shall be construed as compelling the holding of primary elections in such a county on the first of such days in odd numbered years in case no delegates are to be voted for thereat, but in that event there shall be in such a year in such a county but one annual primary day, and it shall be on the fifth Tuesday before such general election. The primary elections held on each primary day shall be official primary elections, and, except as in this provision provided, such elections, and all inspectors thereof and public officers and boards, shall be sub-

ject to all the provisions and charged with all of the duties prescribed by this act for the conduct of the official primary elections on the annual primary day."

Page 51, line 1, after the word "among" insert a bracket.

Same page, line 4, after the word "conventions" insert a bracket and the following: "The several assembly districts, or wards, of such city, and of each county wholly within a city, as nearly as possible upon the basis of the number of votes cast for the party candidate for governor at the last preceding election of a governor. The quotient obtained by dividing the whole party vote cast for governor in such city, or county wholly within a city, at the last preceding election of a governor, by the number of members of the general committee elected in such city, or county wholly within a city, under the rules and regulations of the party, shall be the ratio for apportionment. Each assembly district or ward shall have one member of such committee for each ratio and each major part of a ratio included in its whole party vote for governor at the last preceding election of a governor, but no assembly district or ward shall be without at least one member. The apportionment of members of committees shall be made by the custodian of primary records as herein provided and shall be specified in the notice of such primary election. The members of committees so elected shall hold office until their successors are elected and until the time fixed for the organization of the committee so elected. Provided that where by its rules and regulations the general committee of a party is at any time made up of only one member from each assembly district or ward it shall not be necessary to apportion the members of such committee as hereinbefore provided."

Page 65, line 13, after the word "time" strike out the period and insert a comma, also "provided however, that in case new enrollment books shall have been prepared by the custodian of primary records, pursuant to the provisions of subdivision nine of section three of this act, such new enrollment books shall be used at all such primary elections."

Amend the title after the word "committees" by striking out the period and inserting a comma, also "relative to the enrollment for and holding of primary elections."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to the said committee.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kelsey, Int. No. 442, entitled

“An act regulating the right of suffrage upon questions of municipal improvements” (No. 462), reported for the consideration of the Assembly the following substitute bill:

AN ACT regulating the right of suffrage upon questions of municipal improvements.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section forty-one of chapter four hundred and fourteen of the laws of eighteen hundred and ninety-seven, entitled “An act in relation to villages, constituting chapter twenty-one of the general laws, is hereby amended to read as follows:

§ 41. Qualification of voters.—A voter at a village election, other than the first, must possess the following qualifications:

1. To entitle him to vote for an officer, he must be qualified to vote at a town meeting of the town in which he resides, and must have resided in the village thirty days next preceding such election.

2. To entitle him to vote upon a proposition, he must be entitled to vote for an officer, and he must also be the owner of property in the village assessed upon the last preceding assessment-roll thereof. A woman who possesses the qualifications to vote for village officers, except the qualification of sex, who is the owner of property in the village assessed upon the last preceding assessment-roll thereof, is entitled to vote upon a proposition.

§ 2. Chapter four hundred and sixty-nine of the laws of eighteen hundred and ninety, entitled “An act in relation to towns, constituting chapter twenty of the general laws,” as amended by chapter four hundred and eighty-one of the laws of eighteen hundred and ninety-seven and chapter three hundred and sixty-three of the laws of eighteen hundred and ninety-eight, is hereby amended by adding at the end of article two thereof a section to be section forty-three and to read as follows:

§ 43. When women are qualified to vote.—A woman who possesses the qualifications to vote for town officers, except the qualification of sex, and who is the owner of property in the town assessed upon the last preceding assessment-roll thereof, is entitled to vote upon a proposition or matter other than the election of officers submitted at a regular or special town meeting.

§ 3. This act shall take effect immediately.

OTTO KELSEY,

Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 177, entitled "An act to facilitate the proving of the incorporation of new corporations formed by the consolidation of two or more corporations" (No. 574), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 95, entitled "An act to release the interest of the State of New York in certain real estate in the city of New York, to Julius Meier and Frederick Wachtel" (No. 521), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 83, entitled "An act to authorize the Chautauqua Assembly to subscribe for and take stock in a corporation, known as the 'Chautauqua Press'" (No. 549), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. White, Rec. No. 118, entitled "An act to amend chapter 53 of the Laws of 1893, entitled 'An act further to amend chapter 278 of the Laws of 1881, entitled An act to authorize such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse, and to change the name of such corporation'" (No. 640), reported in favor of the passage of the same with the following amendments:

Page 2, line 6, after the word "of" insert the word "sixteen" in brackets.

Same page, line 17, after the word "of" insert the word "nineteen" in brackets.

Same page, line 23, before the word "eighteen" insert the word "sixteen" in brackets.

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Havens, Rec. No. 184, entitled "An act authorizing the commissioners of the land office to convey a tract of land situated on the Long Island State Hospital farm to the town of Smithtown for a highway" (No. 870), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Wilson, Int. No. 1142, entitled "An act to chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof' relative to department of street cleaning" (No. 1399), reported in favor of the passage of the same, without amendment.

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the negative.

{ AYES 49 }
{ NOES 73 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Kelly G T	Phillips	Sloane J J
Barrett	Gale	Kullman	Pickett	Smith J E
Baum	Gallagher	Maher	Rierdon	Streifer
Boland	Gould	Mangin	Sage S B	Sullivan T P

Brennan J F	Guider	McKeown	Sanders	Sullivan W J
Collins	Harburger	Meister	Schmid A F	Torborg
Dillon	Heller	Meyer	Schmid F	Trainor
Egan	Henderson	O'Connell	Schoeneck	Wingenfeld
Farrell	Hoffman	O'Connor	Sharkey	Wissel
Finn	Hutton	Palmer	Siems	

Those who voted in the negative, were

Allds	Cowles	Hallock	McMillan	Slater
Apgar	Cross	Hatch	Murphy	Sloane C A
Babcock	Darrison	Hays	Paris	Snyder
Bedell	Davis	Henry	Patton	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Ten Eyck
Brewster	Evarts	Johnson	Rodenbeck	Thorn
Bryan	Fallows	Kelley E E	Rogers	Tripp
Bulkley	Fancher	Kelsey	Rowe	Vincent
Burnett	Fordyce	Lewis M E	Russell	Ware
Clark	Fowler	Litchard	Sage H M	West
Collier	Gardiner	Martin	Sandford	Whipple
Costello	Gleason	Mason	Sands	Wilson
Cottle	Graham	Mazet	Sears	Witter
Coughtry	Greenwood	McEwan		

Said report was then agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mason, Int. No. 1242, entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, New York, and the Rome City Street Railway Company" (No. 1529), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Burnett, Int. No. 1340, entitled "An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' relative to conduits" (No. 1762), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1250, entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (No. 1573), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. C. A. Sloane, Int. No. 1354, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira'" (No. 1776), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. T. D. Lewis, Int. No. 1261, entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (No. 1612), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gale, Int. No. 1312, entitled "An act in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City, and the towns of Flushing, Jamaica and a part of the town of Hempstead, prior to January 1, 1898" (No. 1698), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Wilson, Int. No. 947, entitled "An act to make the office of sheriff of the county of

Kings a salaried office and regulating the management of said office" (No. 1099), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Wilson, Int. No. 949, entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office" (No. 1101), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Wilson, Int. No. 948, entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office" (No. 1100), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Collier, Int. No. 431, entitled "An act to repeal section 1226 of chapter 378, entitled 'An act to unite in one municipality under the corporate name of the city of New York the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and anti-toxine" (No. 451), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kane, Int. No. 1153, entitled

"An act making East Utica street, West Utica street and Massachusetts street, in the city of Buffalo, park approaches" (No. 1420), reported the same with the following amendments, and requested that said bill be recommitted to said committee:

Page 1, line 7, strike out the period after the word "city" and insert the words "provided, however, that nothing herein contained shall in any way change the present method of taxation for maintenance of the pavement in said streets."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted, and recommitted to said committee.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Krum, Rec. No. 176, entitled "An act to revise the charter of the city of Gloversville" (No. 893), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 156), entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relating to the powers of the common council" (No. 669), reported in favor of the passage of the same, without amendment, which report was agreed to and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which referred the Senate bill introduced by Mr. Wilcox, Rec. No. 29, entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (No. 319), reported in favor of the passage of the same, with the following amendments:

Page 4, line 24, strike out the word "thirty" and insert the word "fifty."

Page 5, after line 18, insert the following:

"§ 6. Section twenty-seven of chapter fifty-three of the laws of eighteen hundred and seventy-nine, as amended by chapter five hundred and thirty-six of the laws of eighteen hundred and ninety-five, is hereby further amended so as to read as follows:

“§ 27. Any person appointed to office under the provisions of this act by the common council may be removed at any time by the concurring vote of seven members of said common council, and any person appointed to office under the provisions of this act by the mayor may be removed by him for incompetency, neglect of duty, misconduct, inability to perform the duties of his office or other sufficient cause in his judgment, at any time, upon five days written notice and after an opportunity to be heard.”

Same page, line 19, strike out figure “6” and insert the figure “7.”

Same page, same line, insert after the word “twenty-nine” the words “of chapter fifty-three.”

Same page, beginning with line 23, strike out all of section 29 to and including line 11, page 6, and insert the following:

“§ 29. At their first regular meeting in January following the election of aldermen, the common council shall appoint by ballot, a city attorney, a city surveyor, ten commissioners of deeds, a keeper of the city hall, one or more sealers of weights and measures, one or more scavengers, a sidewalk inspector, one or more dog-catchers, and a city sexton who shall hold office for two years, and until their successors are appointed and qualify, unless sooner removed by the common council. On the first Monday of January following the election of aldermen the mayor shall appoint two commissioners of charities and police who shall each hold office for two years, and until their successors are appointed and qualify unless sooner removed by the mayor. And on the first Monday in January of each year shall appoint a fire commissioner who shall hold office for three years and until his successor is appointed and qualifies unless sooner removed by the mayor. The resignation, removal or ceasing to be a resident of said city, or death of any officers shall create a vacancy which the common council or mayor shall fill for the unexpired term.

Page 6, line 12, strike out the figure “7” and insert the figure “8.”

Same page, same line, insert after the word “thirty-one” the words “of chapter fifty-three.”

Same page, beginning with line 20, strike out that part of section 31 to and including line 9 on page 9.

Page 9, line 10, strike out the figure “8” and insert the figure “9.”

Page 10, line 8, strike out the figure “9” and insert the figure “10.”

Page 15, line 12, strike out the figure “10” and insert the figure “11.”

Page 17, line 7, strike out the figure " 11 " and insert the figure " 12."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. C. A. Sloane, Int. No. 1352, entitled "An act entitled an act to regulate the publication of the general and local laws passed by the Legislature of this State, and other State printing in the county of Schuyler, N. Y." (No. 1774), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of third reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. McEwan, Int. No. 1205, entitled "An act to amend chapter 429 of the Laws of 1893, entitled 'An act to provide for the compilation and continuance and care of certain indexes and records in the Albany county clerk's office,' as amended by chapter 268 of the Laws of 1896, entitled An act to amend chapter 429 of the Laws of 1893,' entitled 'An act to provide for the compilation and continuance and care of certain indexes and records in the Albany county clerk's office'" (No. 1499), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Rowe, Int. No. 1330, entitled "An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county" (No. 1738), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Gleason, Int. No. 1101, entitled "An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of

Sweden, county of Monroe,' in relation to the jurisdiction of police justice" (No. 1341), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Doughty, Int. No. 1179, entitled "An act in relation to the term of office of the town treasurer of the town of Hempstead" (No. 1449), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Hatch, Int. No. 900, entitled "An act to make the office of coroner within the county of Steuben a salaried office, and to regulate the management of said office" (No. 1028), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 157, entitled "An act to divide the county of Cattaraugus into three school commissioner districts" (No. 720), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. E. E. Kelley, Int. No. 1259, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in Adirondack counties" (No. 1605), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which

was referred the bill introduced by Mr. Pickett, Int. No. 1260, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to powers and duties of protectors and foresters" (No. 1606), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Apgar, Int. No. 233, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to taking shad in the Hudson river" (No. 271), reported in favor of the passage of the same with the following amendments:

Page 2, line 9, after the word "only" insert the words "and from Catskill creek below Cook's dam, so called, by means of scoop-nets, dip-nets or scap-nets."

Same page, line 22, after the word "Dover" insert the words "and from Catskill creek below Cook's dam, so called by means of scoop-nets, dip-nets or scap-nets."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Meyer, Int. No. 417, entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to salt water striped bass" (No. 436), reported in favor of the passage of the same with the following amendment:

Page 2, strike out section 121 and insert the following:

"§ 121. Salt water striped bass.—No salt water striped bass less than eight inches in length shall be intentionally taken from any of the waters of this state, nor possessed; nor shall any person fish for or take any striped bass from the Hudson river with a net of any kind between the thirty-first day of March and the first day of July, both inclusive, and in case any such fish is taken, the person so taking it shall immediately place such fish back into the river from which it came without unnecessary injury. Whoever shall violate or attempt to violate the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be

liable to a penalty of sixty dollars and two dollars for each fish so taken, killed or possessed contrary to this section."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Fowler, Int. No. 1266, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fishing in Lake Erie" (No. 1610), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Axtell, from the committee on fisheries and game, to which was referred the Senate bill introduced by Mr. Krum, Rec. No. 136, entitled "An act to amend section 105 of chapter 31 of the general laws, known as the Fisheries, Game and Forest Law, as amended by chapter 150 of the Laws of 1897, relating to the close season for trout, in the towns of Gilboa and Conesville" (No. 752), reported in favor of the passage of the same with the following amendments:

Page 2, line 1, after the word "six" strike out rest of line, also lines 2, 3, and part of line 4 up to the word "except."

Same page, line 8, after the word "inclusive" insert "Brown trout shall not be fished for, caught or killed in Black creek in the counties of Genesee and Monroe, at any time prior to the sixteenth day of April, nineteen hundred and three."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Witter, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Sabine, Int. No. 697, entitled "An act to authorize the city of Syracuse to provide for an investigation of the sources of heat and light supply for said city for public, mechanical and domestic uses, and the expediency of owning and controlling its heat and light supply"

(No. 759), reported in favor of the passage of the same with the following amendment:

Page 3, line 21, strike out the words "five hundred" and insert the words "one thousand."

DANIEL P. WITTER,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Murphy, from the committee on public education, to which was referred the bill introduced by Mr. J. J. Sloane, Int. No. 797, entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (No. 885), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after the enacting clause insert "Section 1."

Same page, line 5, strike out the word "section" and insert a section mark.

Page 3, line 9, after the word "appoint" insert the words "One of" in brackets.

Same page, same line, underscore the words "by ballot from."

Same page, line 10, underscore the words "a president and vice-president."

Same page, line 12, after "tion" strike out the period and insert a comma; also the words "who shall by virtue of his office, act as secretary and shall keep the minutes and accounts of the board."

Same page, line 19, underscore, beginning with the last word "the" on the line, down to and including the word "determine" on line 21, same page.

Page 4, line 1, insert in brackets the word "ten."

Same page, same line, underscore the word "fifteen."

Same page, line 7, after the word "within" insert in brackets the word "ten."

Same page, same line, underscore the word "fifteen."

Page 5, line 14, underscore, beginning with the word "and" down to and including the word "board" on line 15.

Page 7, line 2, underscore, beginning with the word "at" down to and including the word "vice-president" on line 3, same page.

Same page, line 5, after the word "visiting" insert the word "committee" in brackets.

Same page, same line, underscore the word "committees."

Same page, line 20, after the word "as" insert the word "they" in brackets.

Same page, same line, underscore the word "it."

Same page, line 20, underscore the words "or necessary."

Same page, line 24, after the word "as" insert the word "they" in brackets.

Same page, same line, underscore the word "it."

Page 8, line 3, strike out the word "children" and insert the word "condition."

Same page, line 12, after the word "in" insert the word "their" in brackets.

Same page, same line, underscore the word "its."

Same page, line 13, after the word "under" insert the word "their" in brackets.

Same page, same line, underscore the word "its."

Same page, line 14, after the word "in" insert the word "them" in brackets.

Same page, same line, underscore the word "it."

Page 9, line 1, after word "expenses" insert the words "of supporting the schools in such consolidated district" in brackets.

Same page, same line, underscore, beginning with the word "including" down to and including the word "for" on line 2.

Same page, line 3, after the word "district" insert the word "and" in brackets.

Same page, same line, underscore the word "for."

Same page, line 8, after the word "each" insert the word "such" in brackets.

Same page, same line, underscore the words "so refused."

Same page, same line, underscore the words "and refusal."

Same page, line 18, after the word "determine" insert the word "will" in brackets.

Same page, same line, underscore the word "to."

Page 10, line 2, after the word "then" insert the words "six per centum per annum" in brackets.

Same page, same line, underscore the words "the legal rate of interest."

Same page, line 5, after the word "at" insert the words "a sooner" in brackets.

Same page, same line, underscore the words "an earlier."

Same page, underscore all of lines 6, 7 and 8 and line 9, to and including the word "board."

Page 11, line 2, after the word "said" insert the word "fund" in brackets.

Same page, same line, underscore the word "board."

Page 12, line 15, strike out the word "by" and insert the word "from."

Same page, same line, after the word "appoint" insert the words "a librarian" in brackets.

Same page, same line, underscore the word "librarians."

Same page, line 20, insert in brackets after "§ 25" the words "For the purpose of raising the moneys by tax, to be raised in pursuance of this act, the said city is divided into two districts. The first district comprises all the taxable persons and property residing, situate and being within that part of the city now comprised within the present lines of school districts number two and six. The second district comprises all taxable persons and property within the rest, residue and remainder of the city. No greater proportion of any tax to be levied, assessed and collected under this act than twelve per centum of the aggregate amount thereof shall be levied, assessed and collected from the taxable persons and property within said district."

Same page, same line, underscore, beginning with the word "whenever" all the rest of page 12 and all of page 13, down to and including the word "year" on line 4, page 14.

Page 14, after "§ 26" insert the words "Whenever, in pursuance of the foregoing section eighteen, the said board of education shall have determined by resolution an amount of money to be raised for new site or sites, building or buildings, and furniture and fixtures therefor, or for repairs to old buildings or improvements therein, or of old sites, which sum shall in any year exceed the sum of five thousand dollars, the common council, instead of raising the same by tax or refusing to raise the same, in its discretion, by resolution to be certified by the mayor and city clerk under the corporate seal of the city, and delivered to said board of education, may authorize such board of education to borrow such sum or such part thereof as it may determine. Such loan shall be evidenced by the bond or bonds of the board of education in the city of Yonkers, signed by its president and clerk and sealed with its seal, which shall be payable by the city treasurer as treasurer of the board of education out of moneys in his hands to the credit of the board of education; shall bear no greater rate of interest than six per centum per annum, payable semi-annually; shall be of such denomination as the board of education shall determine and be payable in sums of no more than five thousand dollars of principal in each year. Such bonds shall be by such board of education sold at not less than the par value thereof, and the moneys realized therefrom paid into the hands of the city treasurer to the credit of the said board of education, and be drawn only on warrants of said board of education and only for the purposes for which such loan shall have been authorized. The common council of the city of Yonkers shall annually raise by tax, and as a part of the school moneys,

the amount of money necessary to pay the interest annually accruing upon such bonds and the principal falling due and payable in each year, and shall have no power to withhold or refuse to pay the same by tax with the other school moneys. The said board of education shall annually certify by and in the resolution mentioned in the foregoing section eighteen the amount of money necessary to be raised by tax to pay the interest on such bonds and the principal of such bonds falling due in any ensuing year." in brackets.

Same page, line 5, underscore, beginning with the word "if" all the rest of page 14, down to and including the word "year" on line 6, page 15.

Page 15, line 7, strike out "§ 27" and insert "§ 2."

Same page, line 17, strike out all underscoring.

Amend the title by striking out the period and inserting a comma after the word "Yonkers," and strike out the words "relative to the powers of the board of education."

RICHARD MURPHY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fordyce, from the committee on public health, to which was referred the bill introduced by Mr. Trainor, Int. No. 1003, entitled "An act to protect the public health by regulating the sale of milk in certain cities of the State" (No. 1172), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement, in said department." (No. 1663, Int. No. 1161.)

"An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the 14th day of August, 1851, and to release any interest of the State in and to the lands covered by said grant." (No. 641, Int. No. 68.)

"An act to levy an assessment for the cost and expense of con-

structing an improvement and pavement in, upon and through Mount Hope avenue in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby." (No. 1659, Int. No. 1155.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry S. Dermott, as sole surviving executor of the last will and testament of Stephen C. Dermott, deceased, against the State for damages alleged to have been sustained by the said Stephen C. Dermott, deceased, and to render judgment therefor." (No. 1724, Int. No. 1023.)

"An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work done and services performed for the State, under the provisions of chapter 577 of the Laws of 1864." (No. 1647, Int. No. 1028.)

"An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government and disposition of the territory so annexed." (No. 1748, Int. No. 924.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon South Saint Paul street in the city of Rochester, from East Main street to Court street, upon the property benefited thereby." (No. 1661, Int. No. 1157.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue in the city of Rochester, upon property benefited thereby." (No. 1655, Int. No. 1147.)

"An act to enable the fire commissioner of the city of New York to rehear and determine the charges against John J. Enright, a fireman of the first grade, for reinstatement in said department." (No. 1664, Int. No. 1214.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through South Saint Paul street in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby." (No. 1662, Int. No. 1159.)

“An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of John Culleton against the State of New York.” (No. 1666, Int. No. 917.)

“An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid.” (No. 1758, Int. No. 1305.)

“An act to amend the Code of Civil Procedure, in relation to the suspension or removal of attorneys.” (No. 1733, Int. No. 1197.)

“An act to amend section 2461 of the Code of Civil Procedure, relating to supplementary proceedings upon judgments against joint debtors when all defendants were not summoned.” (No. 1643, Int. No. 532.)

“An act to amend section 2731, of the Code of Civil Procedure, in relation to the limitation of actions by executors and administrators against heirs, devisees, legatees and next-of-kin of a decedent” (No. 1652, Int. No. 1133.)

“An act to amend section 2342 of the Code of Civil Procedure, relating to the judicial settlement of the accounts of the committees of incompetent persons.” (No. 1650, Int. No. 1092.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1727) entitled “An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, 2627 of the Code of Civil Procedure, relating to revocation of probate” (Int. No. 303), reported the same with the following recommendations:

Page 1, line 6, after the word “petition” insert a comma.

Page 2, line 5, after the word “petition” insert a comma.

Same page, line 9, after the word “petition” insert a comma.

Same page, line 10, after the word “citation” insert the word “may.”

Same page, line 14, strike out the letter “s” from the word “executors.”

Page 4, line 8, after the word “situated” insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1658) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to the Erie canal, upon the property benefited thereby" (Int. No. 1150), reported the same with the following recommendations:

Page 1, line 2, after the word "dollars" strike out the comma.
Page 2, line 10, after the word "centum" strike out the comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1660) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Court street in the city of Rochester, from South St. Paul street to Clinton street, upon the property benefited thereby" (Int. No. 1156), reported the same with the following recommendation:

Page 1, line 2, after the word "dollars" strike out the comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1642) entitled "An act to define the size of small fruit packages" (Int. No. 98), reported the same with the following recommendation:

Page 2, line 1, after the word "act" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1732) entitled "An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws' relating to ineligibility of county treasurers in the county of Niagara" (Int. No. 1154), reported the same with the following recommendations:

Page 1, line 4, after the word "laws" strike out the words "and the acts amendatory thereof," also after the word "laws" insert the words "as amended by chapter two hundred and twenty-two of the laws of eighteen hundred and ninety-three."

Page 2, line 12, after the word "counties" insert a comma.

Page 3, line 22, add the following:

"§ 2. This act shall take effect immediately."

Amend the title so as to read as follows:

"An act to amend chapter six hundred and eighty-six of the laws of eighteen hundred and ninety-two, entitled 'An act in relation to counties, constituting chapter eighteen of the general laws' relating to ineligibility of county treasurers in the county of Niagara."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1729) entitled "An act to amend chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations,' and providing for the formation, management and supervision of co-operative savings and loan associations, as amended by chapter 705 of the Laws of 1894" (Int. No. 879), reported the same with the following recommendations:

Page 1, line 3, after the word "ninety-two" insert the words "entitled 'An act in relation to banking corporations.'"

Page 4, line 16, strike out the word "act" and insert the word "article."

Amend the title so as to read as follows:

"An act to amend the banking law, relative to statements by co-operative savings and loan associations."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 775) entitled "An act to amend section 62 of the Railroad Law, relative to grade crossings" (Int. No. 710), reported the same with the following recommendations:

Page 1, line 1, after the word "of" insert the words "article two of chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled 'An act in relation to railroads, constituting chapter thirty-nine of the general laws, known as,' also after the word "law" insert the words "as inserted by chapter seven hundred and fifty-four of the laws of eighteen hundred and ninety-seven, as amended by chapter five hundred and twenty of the laws of eighteen hundred and ninety-eight."

Amend the title to read as follows:

"An act to amend the railroad law, relative to grade crossings."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1648) entitled "An act for the protection of the public health, and to provide for medical attendance at places of public entertainment" (Int. No. 1054), reported the same with the following recommendations:

Page 1, line 5, after the word "skill" insert a comma.

Same page, line 6, after the word "exhibition" insert a comma.

Page 2, line 1, after the word "plays" insert a comma.

Same page, line 2, after the word "skill" insert a comma, also after the word "exhibitions" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1657) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester from Main street to the Erie canal, on the property

benefited thereby" (Int. No. 1149), reported the same with the following recommendation:

Page 1, line 1, after the word "thousand" strike out the comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1656) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby" (Int. No. 1148), reported the same with the following recommendation:

Page 1, line 1, after the word "thousand" strike out the comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1646) entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office'" (Int. No. 994), reported the same with the following recommendations:

Page 3, line 23, after the word "positive" insert a comma.

Page 4, line 20, after the word "acts" insert a comma.

Page 5, line 15, before the word "duties" insert the word "the."

Same page, line 17, after the word "receives" insert a comma, also after the word "receive" insert a comma.

Same page, line 24, before the word "terms" insert the word "the."

Page 6, line 1, before the word "court" insert the word "the."

Same page, line 6, after the word "authorize" insert a comma.

Amend the title so as to read as follows:

"An act to amend chapter one hundred and eight of the laws of eighteen hundred and ninety-one, entitled 'An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office relative to the compensation

of said sheriff, his under sheriff and deputies, and the management of said office."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1752) entitled "An act to amend the Consolidated School Law, relative to alteration of school districts by commissioners" (Int. No. 218), reported the same with the following recommendations:

Page 1, line 1, after the words "title six of" insert the words "chapter five hundred and fifty-six of the laws of eighteen hundred and ninety-four, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction, known as.'"

Same page, line 2, after the word "law" insert the words "as amended by chapter two hundred and sixty-four of the laws of eighteen hundred and ninety-six."

Same page, line 7, after the word "such" insert the word "territory."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1654) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through East Main street in the city of Rochester, from Goodman street to the Culver road, upon property benefited thereby" (Int. No. 1145), reported the same with the following recommendations:

Page 3, line 11, after the word "officers" insert the word "and."

Same page, line 10, after the word "city" insert a comma.

Same page, line 15, after the word "assessed" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1653) entitled "An act to levy an assessment

for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby" (Int. No. 1144), reported the same with the following recommendation:

Page 3, line 9, add the letter "s" to the word "board."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1649) entitled "An act to provide for the appointment of sidepath commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and regulate their use on such sidepaths and to provide revenue therefor" (Int. No. 1084), reported the same with the following recommendations:

Page 1, line 1, after the word "state" insert a comma.

Same page, line 2, after the word "Monroe" insert a comma.

Page 2, line 12, after the word "expires" insert a comma.

Same page, line 13, after the word "years" insert a comma.

Page 3, line 24, after the word "verified" insert a comma.

Page 4, line 3, after the word "county" insert a comma.

Same page, line 6, after the word "city" insert a comma.

Same page, line 7, strike out the word "to" and insert the word "of," also after the word "highways" insert a comma.

Same page, line 8, after the word "duties" insert a comma.

Same page, line 15, after the word "village" insert a comma.

Page 5, line 8, after the word "resides" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1667) entitled "An act to amend chapter 379 of the Laws of 1862, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner

and overseers of highways in that district " (Int. No. 598), reported the same with the following recommendation:

Amend the title so as to read as follows:

"An act to amend chapter three hundred and seventy-nine of the laws of eighteen hundred and sixty-two, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner and overseers of highways in that district,' relative to exemptions."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act authorizing the board of estimate and apportionment of the city of New York to take proof of the claim of Michael Mullady, for certain work, labor and services alleged to have been done under the direction of Hon. John P. Adams, a commissioner of city works, of the late city of Brooklyn, and to allow and pay to said Michael Mullady, such compensation therefor, as it may deem just and proper." (No. 1577, Int. No. 1254.)

"An act in relation to the election of county treasurer of Niagara county." (No. 1604, Int. No. 1258.)

"An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the protection of the property in such village against fire and to provide a proper method and means of payment therefor." (No. 1380, Int. No. 1123.)

"An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same." (No. 1381, Int. No. 1124.)

"An act amending the Fisheries, Game and Forest Law, in relation to certain fish that may be caught in lakes and waters named." (No. 1735, Int. No. 1207.)

"An act to amend the Greater New York Charter, of chapter 378 of the Laws of 1897, in relation to the municipal courts in the borough of Brooklyn." (No. 1723, Int. No. 273.)

"An act to make the office of county clerk of the county of Seneca a salaried office, and to provide for the conduct of said office." (No. 1747, Int. No. 434.)

"An act to authorize the city of Syracuse to borrow money by the issue of bonds, to provide for their redemption, and to provide for the acquiring of title to the necessary land for a site for, and the erection of, a new high school building in said city." (No. 1746, Rec. No. 105.)

"An act to amend the Domestic Relations Law, relating to the contents of indentures of apprenticeship." (No. 1750, Int. No. 608.)

"An act for the protection of public health, and to prevent mistakes in the handling of poison." (No. 1749, Rec. No. 164.)

"An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shellfish cultivation in Long Island Sound, in Queens and Nassau counties." (No. 1725, Int. No. 241.)

"An act to annex certain portions of the town of Lansingburgh, in the county of Rensselaer, to the towns of Brunswick and Schaghticoke, respectively." (No. 1728, Int. No. 450.)

"An act to amend the Membership Corporation Law, in relation to the erection of soldiers' monuments." (No. 1107, No. 956.)

"An act in relation to the transfer of captains, sergeants, roundsmen and patrolmen of the police force of the city of New York." (No. 1495, Int. No. 1201.)

"An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government and disposition of the territory so annexed." (No. 1748, Int. No. 924.)

A message from the Governor, by the hand of his private secretary, was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *March 22, 1899.*

To the Legislature:

I herewith transmit two documents from the Superintendent of Public Instruction, in relation to the condition of the public schools of Rochester, which set forth a condition so serious that in my judgment it calls for immediate legislative action. These documents describe the public schools of Rochester as being in a shape which must be designated as appalling, because of the imminent danger to the health of the children and their exposure to wholesale destruction in the event of fire; and this aside from the fact that the facilities are so utterly inadequate that 3,000 children are left wholly unprovided for. The local authorities have power to remedy this condition of affairs; but they refuse to act. Yet no such condition of affairs can with any propriety be allowed to exist, if a remedy can be found.

Accordingly I lay the matter before the Legislature with the hope that it will take immediate action to provide relief.

THEODORE ROOSEVELT.

Said message, together with the accompanying papers, were laid upon the table and ordered printed.

(See Document.)

A communication from the Governor, was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *March 22, 1899.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned, for amendment, the bill (No. 905) entitled "An act to amend chapter 212 of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws relative to the use of armories.'" (Int. No. 275.)

THEODORE ROOSEVELT.

Mr. E. C. Brennan moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said

bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Miles	Sears
Allds	Darrison	Hatch	Murphy	Sharkey
Apgar	Dean	Hays	O'Connell	Siems
Axtell	De Graw	Henderson	Palmer	Sloane A C
Babcock	Delaney	Hill	Paris	Sloane J J
Baker	Doughty	Hoffman	Phillips	Smith J E
Barrett	Dutton	Hutton	Pickett	Smith J T
Bashford	Egan	Juengst	Post	Sprague
Bedell	Ellis	Kelley E E	Redington	Stoneman
Beede	Evarts	Kelsey	Riedman	Streifler
Boland	Fallows	Kullman	Rierdon	Sullivan W J
Brennan J F	Farrell	Lewis M E	Roche	Ten Eyck
Brewster	Finn	Lewis T D	Rodenbeck	Thorn
Brown	Fish	Litchard	Rowe	Torborg
Bulkley	Fitzgerald	Martin	Russell	Tripp
Burnett	Fowler	Mason	Sabine	Vincent
Cain	Gale	Mazet	Sage H M	Ware
Collier	Gardiner	McEwan	Sage S B	Whipple
Collins	Gleason	McInerney	Sandford	Wilson
Costello	Gould	McMillan	Sands	Wingenfeld
Cotton	Green	Meister	Schmid A F	Wissel
Coughtry	Greenwood	Meyer	Schmid F	Witter
Cowles	Guider			

Mr. E. C. Brennan moved that said bill be recommitted to the committee on military affairs, with instructions to report the same forthwith, amended as follows:

Page 2, lines 8, 9, 10, strike out the following: "and the veteran organizations of the regiment or battalion of the National Guard which at the time occupies the armory."

Same page, line 18, after the word "guard" insert the words "the commanding officer of the brigade of the National Guard in whose jurisdiction the armory is located."

Same page, line 19, strike out the word "command" and insert in place thereof the word "charge."

Same page, same line, after the word "armory" insert a comma and the words "and under such restrictions as he may prescribe."

Same page, line 22, after the word "twice" insert the words "nor more than twenty days in the aggregate."

Same page, same line, strike out all after the word "year" and all of lines 23, 24 and 25, and insert in place thereof the following: "and then only on the delivery to the commanding officer of the brigade in whose jurisdiction the armory is located, of a bond approved by him and executed by the person, association, partnership or corporation proposing to use the armory, and a surety company approved by such commanding officer, and in an amount approved by him, conditioned that such person, association, partnership or corporation will indemnify and save harmless the state and the county in which the armory is located, and the military organizations occupying the armory, against any loss, damage, cost or expense which may accrue or be incurred by reason of such use, to the armory or any property therein, or connected therewith, owned by the state or county or by such military organizations; and also to pay all expenses of heating, lighting, and for janitor or other service connected with such use. A bond given as herein provided may be prosecuted for breach of the conditions thereof in the name of the people by a judge advocate, and all moneys recovered shall be paid to the state or county treasurer, or to the military organizations, as the case requires."

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Henry, from the committee on military affairs, reported said bill, amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor requesting the return of Senate bill (No. 597) entitled "An act to amend chapter 218 of the Laws of 1874, entitled 'An act to amend, revise and consolidate the laws in relation to the village of Seneca Falls, in the county of Seneca'" (Rec. No. 89), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the Assembly bill (No. 905) entitled "An act to amend chapter 212 of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws,' relative to the use of armories" (Int. No. 275), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 964) entitled "An act to amend the Greater New York charter by excluding certain territory therefrom, and annexing it to the town of Hempstead, in the county of Nassau" (Int. No. 358), with a message that they have concurred in the passage of the same, without amendment.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

A communication was received from the Hon. James K. McGuire, mayor of the city of Syracuse, returning the bill (No. 163) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of placing the wires, cables and appurtenances required for the service of the police and fire department of said city under ground in sub-ways of the Central New York Telephone and Telegraph Company" (Int. No. 163), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. James K. McGuire, mayor of the city of Syracuse, returning the Assembly bill (No. 276) entitled "An act to further amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' and the acts amendatory thereof" (Int. No. 24), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mazet gave notice that on Thursday, March 23, he would call up Assembly bill No. 1581, entitled "An act to amend the Greater New York Charter, relating to the board of pharmacy" (Int. No. 215), now on the order of third reading, laid aside March 16.

Mr. Grossman gave notice that on March 23, he would call up Assembly bill No. 520, entitled "An act to amend subdivision 16 of section 4, of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws'" (Int. No. 493), the same having been laid aside on the order of third reading.

Mr. E. L. Collier gave notice that on March 23, he would call up Assembly bill No. 783, entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and school-houses" (Int. No. 718), the same having been laid aside on the order of second reading.

Mr. Hitchcock gave notice that on Thursday, March 23, he would call up Assembly bill No. 1754, entitled "An act declaring Spuyten Devil creek, Brant lake creek, tributaries of the Schroon river, in the county of Warren to be public highways, and providing for the assessment of damages to riparian owners thereof" (Int. No. 670), the same having been laid aside on the order of second reading.

By unanimous consent,

Mr. Gardiner introduced a bill entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in such city" (Int. No. 1409), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Mason introduced a bill entitled "An act to legalize the election of three assessors for a full term of two years each at the town meeting held in the town of Florence in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890" (Int. No. 1410), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. W. J. Sullivan introduced a bill entitled "An act to amend the Highway Law in relation to the adoption of the money system" (Int. No. 1411), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. Martin introduced a bill entitled "An act to amend the County Law in relation to the appointment of district attorneys in certain cases" (Int. No. 1412), which was read the first time and referred to the committee on general laws.

By unanimous consent,

Mr. Sanders introduced a bill entitled "An act to amend the Statutory Construction Law, in relation to public holidays" (Int. No. 1413), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Witter (by request) introduced a bill entitled "An act to amend the Domestic Commerce Law in relation to the size of apple, pear, quince and potatoe barrels" (Int. No. 1414), which was read the first time and referred to the committee on internal affairs.

By unanimous consent,

Mr. J. J. Sloane introduced a bill entitled "An act in relation to certain property of the Jewish Theological Seminary Association" (Int. No. 1415), which was read the first time.

On motion of Mr. J. J. Sloan, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Beede introduced a bill entitled "An act to authorize the Comptroller of this State to hear and determine the application of Rawson L. Hayes for the cancellation of the tax sales for unpaid taxes of three acres of land in the southeast corner of Lot 122, in township 11 of the Old Military Tract, town of St. Armand, county of Essex, State of New York" (Int. No. 1416), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Dutton introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Norman Tryon and other alleged employes of the State, upon public works, for unpaid balances alleged to be due for services rendered within the last six years, and to render judgment therefor" (Int. No. 1417), was read the first time.

On motion of Mr. Dutton, and by unanimous consent, said bill was read the second time, and ordered to a third reading and referred to the committee on claims.

By unanimous consent,

Mr. M. E. Lewis introduced a bill entitled "An act authorizing the canal board to terminate contracts made by the State of New York for the improvement of the Erie canal, Champlain canal and Oswego canal, and permitting return and payment to the contractors of the moneys deposited and earned by them under their contracts with the State of New York" (Int. No. 1418), which was read the first time and referred to the committee on ways and means.

On motion of Mr. Allds, the House adjourned.

THURSDAY, MARCH 23, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Fallon.

On motion of Mr. McKeown, the reading of the journal of yesterday was dispensed with and the same was approved.

By unanimous consent, on motion of Mr. McKeown, the fact that Mr. Juengst would, if present yesterday, have voted against the following bills: Assembly bill No. 1645, Int. No. 684; Assembly bill No. 1697, Int. No. 1311; Assembly bill No. 710, Int. No. 685, was ordered entered upon the journal.

On motion of Mr. Finn, and by unanimous consent, the privi-

lege was granted to Mr. Finn to move on Monday evening next, to discharge the committee on ways and means from the further consideration of the bill (No. 1118), entitled "An act to provide additional compensation for volunteer soldiers and sailors who served in the war between the United States and Spain." (Int. No. 127.)

Mr. Harberger offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on electricity, gas and water supply, be discharged from the further consideration of the bill (No. 503), entitled "An act to regulate the price of illuminating gas in the borough of Manhattan and the borough of the Bronx in the city of New York" (Int. No. 484), and that the same be placed on the order of second reading.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	Davis	Hays	Mohring	Sears
Apgar	Dean	Heller	Murphy	Sharkey
Babcock	De Graw	Henry	O'Connell	Siems
Baker	Dillon	Hill	O'Connor	Slater
Ball	Doughty	Hitchcock	Palmer	Sloane C A
Barrett	Dutton	Hoffman	Paris	Sloane J J
Bashford	Egan	Johnson	Patton	Smith J E
Baum	Ellis	Juengst	Phillips	Smith J T
Bedell	Evarts	Kane	Post	Snyder
Beede	Fallows	Kelley E E	Poth	Sprague
Boland	Fancher	Kelly G T	Redington	Stoneman
Brennan E C	Farrell	Kelsey	Riedman	Streifler
Brennan J F	Finn	Kullman	Rierdon	Sullivan T P
Brewster	Fish	Lewis M E	Roberts	Sullivan W J
Brown	Fitzgerald	Lewis T D	Roche	Ten Eyck
Bryan	Fordyce	Maher	Rodenbeck	Thorn
Burnett	Fowler	Mangin	Rogers	Torborg
Cain	Gale	Martin	Rowe	Trainor
Clark	Gallagher	Mason	Russell	Tripp
Collier	Gardiner	Mazet	Sabine	Vincent
Collins	Gleason	McEwan	Sage H M	Ware
Costello	Gould	McInerney	Sanders	West
Cottle	Green	McKeown	Sandford	Whipple

Cotton	Greenwood	McMillan	Sands	Wilson
Coughtry	Grossman	Meister	Schmid A F	Wingenfeld
Cowles	Hallock	Meyer	Schmid F	Wissel
Cross	Harburger	Miles	Schoeneck	Witter
Darrison	Hatch			

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Mr. Allds moved that all further proceedings, under call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Harburger, and it was determined in the negative.

{ AYES 60 }
{ NOES 76 }

Those who voted in the affirmative, were

Ball	Egan	Hoffman	O'Connor	Sharkey
Barrett	Farrell	Hutton	Palmer	Siems
Bashford	Finn	Juengst	Phillips	Sloane J J
Baum	Fitzgerald	Kane	Poth	Smith J E
Boland	Gallagher	Kullman	Redington	Streifler
Brennan J	F Gould	Maher	Riedman	Sullivan T P
Bulkley	Green	Mangin	Rierdon	Sullivan W J
Cain	Grossman	McInerney	Roche	Torborg
Collins	Guider	Meister	Sanders	Trainor
Davis	Harburger	Meyer	Schmid A F	Ware
Dean	Heller	Mohring	Schmid F	Wingenfeld
Dillon	Henry	O'Connell	Schoeneck	Wissel

Those who voted in the negative, were

Allds	Cowles	Graham	Mason	Sage H M
Apgar	Cross	Greenwood	Mazet	Sands
Babcock	Darrison	Hallock	McEwan	Sears
Baker	DeGraw	Hatch	McKeown	Slater
Bedell	Doughty	Hays	McMillan	Sloane C A
Beede	Dutton	Hill	Miles	Smith J T
Brennan E	Cellis	Hitchcock	Murphy	Snyder
Brewster	Fallows	Johnson	Paris	Sprague
Bryan	Fancher	Kelley E E	Patton	Stoneman
Burnett	Fish	Kelly G T	Post	Tripp
Clark	Fordyce	Kelsey	Roberts	Vincent
Collier	Fowler	Lewis M E	Rodenbeck	West
Costello	Gale	Lewis T D	Rogers	Whipple
Cottle	Gardiner	Litchard	Rowe	Wilson
Cotton	Gleason	Martin	Russell	Witter
Coughtry				

Mr. Speaker announced the special order, being the bill (No. 1593), entitled "An act to provide for the appointment of a commissioner of records for the county of Kings." (Int. No. 759.)

Said bill having been announced for a third reading,

Mr. McKeown moved to amend the title so as to read as follows:

"An act to provide a position for Walter Atterbury."

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the negative.

{ AYES 37 }
{ NOES 72 }

Those who voted in the affirmative, were

Ball	Gallagher	Maier	Poth	Schoeneck
Barrett	Green	McInerney	Redington	Sharkey
Bashford	Guider	McKeown	Riedman	Sloane J J
Baum	Hoffman	O'Connell	Rierdon	Streifer
Brennan J F	Hutton	O'Connor	Roche	Sullivan T P
Cain	Juengst	Palmer	Sanders	Sullivan W J
Collins	Kelly G T	Phillips	Schmid A F	Wingenfeld
Finn	Kullman			

Those who voted in the negative, were

Allds	Coughtry	Gleason	Mazet	Sage H M
Apgar	Cowles	Greenwood	McEwan	Sands
Babcock	Darrison	Hallock	McMillan	Slater
Baker	Davis	Hatch	Miles	Sloane C A
Bedell	Dillon	Hays	Murphy	Smith J T
Beede	Doughty	Henry	Paris	Snyder
Brennan E C	Dutton	Hill	Patton	Sprague
Brewster	Egan	Hitchcock	Post	Stoneman
Bryan	Ellis	Johnson	Roberts	Ten Eyck
Bulkley	Evarts	Kelley E E	Rodenbeck	Thorn
Burnett	Fallows	Kelsey	Rogers	Tripp
Clark	Fancher	Lewis T D	Rowe	Ware
Collier	Fordyce	Martin	Russell	West
Costello	Fowler	Mason	Sabine	Witter
Cottle	Gardiner			

Debate was had on the third reading of said bill, when Mr. Allds moved the previous question.

Mr. Speaker put the question " Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 41 }

Those who voted in the affirmative, were

Allds	Coughtry	Gleason	Mazet	Schmid F
Apgar	Cowles	Graham	McEwan	Slater
Babcock	Darrison	Greenwood	McMillan	Sloane C A
Baker	Davis	Hallock	Miles	Smith J T
Bedell	De Graw	Hatch	Murphy	Snyder
Beebe	Delaney	Hays	Paris	Sprague
Boland	Dillon	Henry	Patton	Stoneman
Brennan E C	Doughty	Hill	Post	Thorn
Brewster	Dutton	Hitchcock	Roberts	Tripp
Bryan	Ellis	Johnson	Rodenbeck	Vincent
Bulkley	Evarts	Kelsey	Rogers	Ware
Burnett	Fallows	Lewis E M	Rowe	West
Clark	Fancher	Lewis T D	Russell	Whipple
Collier	Fordyce	Litchard	Sage H M	Wilson
Costello	Fowler	Martin	Sandford	Witter
Cottle	Gardiner	Mason	Sands	Speaker

Those who voted in the negative, were

Ball	Gallagher	Kullman	Phillips	Schoeneck
Barrett	Gould	Maher	Redington	Sharkey
Bashford	Green	Mangin	Riedman	Siems
Baum	Guider	McInerney	Rierdon	Sloane J J
Brennan J F	Harburger	McKeown	Roche	Smith J E
Cain	Hoffman	Meister	Sage S B	Streifler
Collins	Hutton	Meyer	Sanders	Torborg
Finn	Kane	O'Connell	Schmid A F	Wingenfeld
Fitzgerald	Kelly G T	Palmer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1644), entitled "An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter." (Int. No. 559.)

Said bill having been announced for a second reading,

On motion of Mr. Fordyce, and by unanimous consent, said bill was made a special order on second reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1513) entitled "An act to provide for a system of public docks and terminals in the State of New York, and to provide for a commission to superintend the construction and maintenance of the same." (Int. No. 1041.)

Said bill having been announced for a second reading,

On motion of Mr. E. C. Brennan, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 1601) entitled "An act to make the office of sheriff of Genesee county a salaried office and to regulate the management thereof." (Int. No. 1058.)

Said bill having been announced for a third reading,

Mr. Ellis moved that said bill be recommitted to the committee on internal affairs with instructions to report the same forthwith amended as follows:

Page 1, line 5, strike out the words "two thousand two" and insert the word "eighteen."

Page 2, lines 7 and 8, strike out the words "including the salary of under-sheriff hereinafter provided for."

Page 4, line 3, strike out the word "special."

Same page, line 5, strike out the word "special."

Same page, line 8, strike out the word "special."

Same page, line 26, insert after the word "sheriff" the words "and under-sheriff."

Mr. Cottle, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1714) entitled "An act to incorporate Grenell's Island Park, in the St. Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort" (Int. No. 72), having been announced for a third reading,

On motion of Mr. Gleason, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1721) entitled "An act to amend chapter 112 of the Laws of 1896, and the act amendatory thereof, relative to restrictions on the traffic in liquor in connections with other business" (Int. No. 423), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gould	Mangin	Russell
Allds	Cotton	Graham	Martin	Sage H M
Apgar	Coughtry	Green	Mason	Sage S B
Axtell	Cowles	Greenwood	Mazet	Sandford
Babcock	Cross	Grossman	McEwan	Sands
Baker	Darrison	Guider	McInerney	Schmid A F
Ball	Dean	Hallock	McMillan	Schmid F
Barrett	De Graw	Hatch	Meister	Sears
Bashford	Delaney	Hays	Miles	Siems
Baum	Dillon	Henderson	Mohring	Slater
Bedell	Doughty	Henry	Murphy	Smith J E
Beede	Dutton	Hill	O'Connell	Snyder
Boland	Egan	Hitchcock	O'Connor	Streifler
Brennan E C	Ellis	Hutton	Palmer	Sullivan T P
Brennan J F	Evarts	Johnson	Patton	Ten Eyck
Brewster	Fallows	Juengst	Phillips	Torborg
Brown	Fancher	Kane	Pickett	Trainor
Bryan	Farrell	Kelley E E	Poth	Tripp
Bulkley	Finn	Kelly G T	Redington	Vincent
Burnett	Fish	Kelsey	Riedman	Ware
Cain	Fitzgerald	Kullman	Rierdon	West

Clark	Fordyce	Lewis M E	Roberts	Wilson
Collier	Gale	Lewis T D	Roche	Wingenfeld
Collins	Gardiner	Litchard	Rogers	Wissel
Costello	Gleason	Maher	Rowe	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 182) entitled "An act to amend the Railroad Law, and to provide for the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State" (Int. No. 182), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1717) entitled "An act to amend chapter 546 of the Laws of 1896, entitled 'An act relating to State charities, constituting chapter 26 of the general laws,' relating to commitments to houses of refuge and reformatories for women" (Int. No. 365), having been announced for a third reading,

On motion of Mr. Dutton, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1715) entitled "An act to amend section 837 of the Greater New York charter, in relation to setting apart a certain pier in the borough of Manhattan for recreation purposes" (Int. No. 742), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	McKeown	Sanders
Allds	Cowles	Guider	McMillan	Sands
Apgar	Cross	Hallock	Meister	Sawyer
Axtell	Darrison	Harburger	Meyer	Schmid A F

Babcock	Davis	Hatch	Miles	Schmid F
Baker	Dean	Hays	Mohring	Sears
Ball	De Graw	Heller	Murphy	Siems
Barrett	Delaney	Henderson	O'Connor	Slater
Bashford	Dillon	Hill	Palmer	Sloane J J
Bedell	Doughty	Hitchcock	Paris	Smith J E
Beede	Dutton	Hoffman	Patton	Smith J T
Boland	Egan	Hutton	Phillips	Sprague
Brennan E C	Evarts	Johnson	Post	Stoneman
Brewster	Fancher	Juengst	Poth	Sullivan T P
Brown	Farrell	Kane	Redington	Sullivan W J
Bryan	Finn	Kelley E E	Riedman	Ten Eyck
Bulkley	Fish	Kelsey	Rierdon	Thorn
Burnett	Fordyce	Kullman	Roche	Trainor
Cain	Gale	Lewis M E	Rodenbeck	Tripp
Clark	Gallagher	Lewis T D	Rogers	Ware
Collier	Gardiner	Litchard	Rowe	West
Collins	Gould	Mangin	Russell	Wilson
Costello	Graham	Mazet	Sabine	Wingenfeld
Cottle	Green	McEwan	Sage S B	Wissel
Cotton	Greenwood	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1718) entitled "An act to amend sections 284 and 734 of the Greater New York charter, in relation to the age qualifications of patrolmen and firemen" (Int. No. 958), having been announced for a third reading,

On motion of Mr. F. Schmid, and by unanimous consent, said bill was made a special order on third reading for Friday next, immediately after the reading of the journal and calendar, and record amended to show that said bill was introduced by Mr. F. Schmid.

The bill (No. 1716) entitled "An act to amend the Greater New York charter relative to the appointment of a resident or property owner upon all commissions appointed to condemn property to public use" (Int. No. 1047), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Harburger	McKeown	Sandford
Allds	Cowles	Hatch	McMillan	Sands
Apgar	Cross	Hays	Meister	Sawyer
Axtell	Davis	Heller	Meyer	Schmid F
Babcock	De Graw	Henry	Miles	Schoeneck
Baker	Dillon	Hill	Mohring	Sharkey
Ball	Doughty	Hoffman	Murphy	Slater
Barrett	Egan	Hutton	O'Connell	Smith J E
Baum	Evarts	Johnson	O'Connor	Smith J T
Bedell	Fallows	Juengst	Paris	Snyder
Beede	Farrell	Kane	Patton	Sprague
Boland	Finn	Kelly G T	Phillips	Stoneman
Brennan E C	Fish	Kelsey	Pickett	Streifer
Brennan J F	Fordyce	Kullman	Post	Sullivan W J
Brewster	Fowler	Lewis M E	Poth	Thorn
Bryan	Gallagher	Lewis T D	Riedman	Torborg
Bulkley	Gardiner	Litchard	Rierdon	Tripp
Burnett	Gould	Mangin	Roche	Vincent
Cain	Graham	Martin	Rodenbeck	West
Clark	Greenwood	Mason	Rowe	Whipple
Collier	Grossman	Mazet	Sabine	Wilson
Collins	Guider	McEwan	Sage H M	Wissel
Costello	Hallock	McInerney	Sanders	Witter
Cottle				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kelsey in the Chair.

The bill (No. 1719) entitled "An act to amend chapter 398 of the Laws of 1876, entitled 'An act to provide for the election and compensation of coroners in the county of Rensselaer,' relative to the salary of coroner" (Int. No. 1073), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 131 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Sanda
Allds	Davis	Hatch	Meyer	Schmid A F
Apgar	Dean	Hays	Miles	Schmid F
Axtell	De Graw	Henderson	Mohring	Sears
Babcock	Delaney	Henry	Murphy	Sharkey
Baker	Dillon	Hill	O'Connell	Siems
Ball	Doughty	Hoffman	O'Connor	Slater
Barrett	Egan	Hutton	Palmer	Sloane A C
Bashford	Ellis	Johnson	Paris	Sloane J J
Baum	Evarts	Juengst	Patton	Smith J E
Bedell	Fancher	Kane	Phillips	Snyder
Beede	Farrell	Kelley E E	Pickett	Sprague
Boland	Fish	Kelly G T	Poth	Stoneman
Brennan E C	Fitzgerald	Kelsey	Redington	Streifler
Brennan J F	Fordyce	Kullman	Riedman	Sullivan W J
Brewster	Fowler	Lewis M E	Rierdon	Ten Eyck
Bryan	Gale	Lewis T D	Roberts	Thorn
Bulkley	Gallagher	Litchard	Roche	Torborg
Burnett	Gardiner	Mangin	Rodenbeck	Tripp
Cain	Gleason	Martin	Rogers	Vincent
Clark	Graham	Mason	Russell	Ware
Collins	Green	Mazet	Sabine	West
Costello	Greenwood	McEwan	Sage H M	Whipple
Cottle	Grossman	McInerney	Sage S B	Wingenfeld
Coughtry	Guider	McKeown	Sanders	Wissel
Cowles	Hallock	McMillan	Sandford	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1720) entitled "An act to amend the Greater New York charter, in relation to a division of notification in the department of finance, by adding a new section thereto, to be designated section 1023a" (Int. No. 338), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McMillan	Schmid A F
Allds	Darrison	Hallock	Meister	Schoeneck
Apgar	Dean	Harburger	Miles	Sears
Axtell	Delaney	Hays	Mohring	Siems
Babcock	Dillon	Heller	O'Connell	Sloane C A
Baker	Doughty	Henderson	O'Connor	Sloane J J
Ball	Egan	Henry	Palmer	Smith J E
Bashford	Ellis	Hitchcock	Patton	Smith J T
Baum	Evarts	Hoffman	Phillips	Snyder
Bedell	Fallows	Johnson	Pickett	Sprague
Beede	Fancher	Juengst	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streifler
Brennan J F	Finn	Kelsey	Riedman	Sullivan T P
Brewster	Fish	Kullman	Rierdon	Ten Eyck
Brown	Fitzgerald	Lewis M E	Roberts	Thorn
Bulkley	Fordyce	Lewis T D	Roche	Torborg
Burnett	Fowler	Litchard	Rodenbeck	Trainor
Clark	Gale	Mangin	Rogers	Tripp
Collier	Gallagher	Martin	Rowe	Vincent
Collins	Gardiner	Mason	Sabine	Ware
Costello	Gleason	Mazet	Sage H M	Whipple
Cottle	Graham	McEwan	Sage S B	Wilson
Cotton	Green	McInerney	Sandford	Wissel
Cowles	Greenwood	McKeown	Sawyer	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1722) entitled "An act to amend section 1990 of the Code of Civil Procedure, relative to orders of arrest and warrants of attachment" (Int. No. 548), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Heller	Meyer	Schmid F
Allds	Dean	Henderson	Miles	Schoeneck
Apgar	Delaney	Henry	Murphy	Sears
Axtell	Dillon	Hill	O'Connell	Sharkey
Babcock	Doughty	Hitchcock	O'Connor	Siems
Baker	Dutton	Hoffman	Palmer	Slater
Ball	Ellis	Hutton	Patton	Sloane J J
Barrett	Evarts	Johnson	Phillips	Smith J E
Bashford	Fallows	Juengst	Pickett	Smith J T
Bedell	Fancher	Kane	Poth	Snyder
Beede	Finn	Kelley E E	Redington	Stoneman
Boland	Fish	Kelsey	Riedman	Streifler
Brennan E C	Fitzgerald	Kullman	Rierdon	Sullivan W J
Brennan J F	Fowler	Lewis M E	Roche	Ten Eyck
Brewster	Gale	Lewis T D	Rodenbeck	Thorn
Brown	Gallagher	Litchard	Rogers	Torborg
Bulkley	Gardiner	Mangin	Rowe	Trainor
Burnett	Gleason	Martin	Russell	Vincent
Cain	Graham	Mason	Sabine	Ware
Clark	Greenwood	Mazet	Sage H M	West
Collins	Guider	McEwan	Sage S B	Whipple
Costello	Hallock	McInerney	Sanders	Wilson
Cottle	Harburger	McKeown	Sandford	Wingenfeld
Cotton	Hatch	McMillan	Sands	Wissel
Cowles	Hays	Meister	Sawyer	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1747) entitled "An act to make the office of county clerk of the county of Seneca a salaried office, and to provide for the conduct of said office" (Int. No. 434), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	McMillan	Sawyer
Allds	Cowles	Grossman	Meister	Schmid A F
Apgar	Cross	Hallock	Meyer	Schmid F
Axtell	Darrison	Hatch	Miles	Schoeneck
Babcock	Davis	Hays	Mohring	Sharkey
Baker	Dean	Henderson	O'Connell	Siems
Ball	De Graw	Henry	O'Connor	Slater
Bashford	Delaney	Hill	Palmer	Sloane J J
Baum	Doughty	Hoffman	Patton	Smith J E
Bedell	Dutton	Hutton	Phillips	Snyder
Beede	Egan	Johnson	Pickett	Stoneman
Boland	Ellis	Juengst	Post	Streifler
Brennan E C	Evarts	Kane	Redington	Sullivan W J
Brennan J F	Fallows	Kelley E E	Riedman	Ten Eyck
Brewster	Fancher	Kelly G T	Rierdon	Thorn
Brown	Finn	Kelsey	Roberts	Trainor
Bryan	Fish	Kullman	Roche	Tripp
Bulkley	Fitzgerald	Lewis M E	Rodenbeck	Vincent
Burnett	Fordyce	Lewis T D	Rogers	Ware
Cain	Fowler	Litchard	Rowe	West
Clark	Gale	Mangin	Russell	Whipple
Collier	Gallagher	Martin	Sabine	Wilson
Collins	Gleason	Mason	Sage H M	Wingenfeld
Costello	Gould	Mazet	Sanders	Wissel
Cottle	Graham	McInerney	Sandford	Witter
Cotton	Green	McKeown	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1750) entitled "An act to amend the Domestic Relations Law, relating to the contents of indentures of apprenticeship" (Int. No. 608), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 146 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McMillan	Schmid A F
Allds	Davis	Harburger	Meister	Schmid F
Apgar	Dean	Hatch	Meyer	Schoeneck
Axtell	De Graw	Hays	Miles	Sears
Babcock	Delaney	Heller	Mohring	Sharkey
Baker	Dillon	Henders in	Murphy	Siems
Ball	Doughty	Henry	O'Connell	Slater
Barrett	Dutton	Hill	O'Connor	Sloane C A
Bashford	Egan	Hitchcock	Palmer	Sloane J J
Baum	Ellis	Hoffman	Paris	Smith J E
Bedell	Evarts	Hutton	Patton	Smith J T
Beede	Fallows	Johnson	Phillips	Snyder
Boland	Fancher	Juengst	Pickett	Sprague
Brennan E C	Farrell	Kane	Post	Stoneman
Brennan J F	Finn	Kelley E E	Poth	Streifler
Brewster	Fish	Kelly G T	Redington	Sullivan T P
Brown	Fitzgerald	Kelsey	Riedman	Sullivan W J
Bryan	Fordyce	Kullman	Rierdon	Ten Eyck
Bulkley	Fowler	Lewis M E	Roberts	Thorn
Burnett	Gale	Lewis T D	Rodenbeck	Torborg
Cain	Gallagher	Litchard	Rogers	Trainor
Clark	Gardiner	Maher	Rowe	Tripp
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Whipple
Cottle	Green	Mazet	Sage S B	Wilson
Cotton	Greenwood	McEwan	Sanders	Wingenfeld
Coughtry	Grossman	McInerney	Sandford	Wissel
Cowles	Guider	McKeown	Sawyer	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds in the Chair.

The bill (No. 1748) entitled "An act to extend the boundaries of the city of Utica by annexing thereto a part of the town of New Hartford, and to provide for the government and disposition of the territory so annexed" (Int. No. 924), was read the third time, having been printed and upon the desks of the members in its

final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McKeown	Sanders
Allds	Cowles	Grossman	McMillan	Sands
Apgar	Cross	Guider	Meister	Sawyer
Axtell	Darrison	Harburger	Meyer	Schmid A F
Babcock	Davis	Hatch	Miles	Schmid F
Baker	De Graw	Hays	Mohring	Schoeneck
Ball	Delaney	Henderson	Murphy	Sears
Barrett	Dillon	Henry	O'Connell	Sharkey
Bashford	Doughty	Hill	O'Connor	Siems
Baum	Dutton	Hitchcock	Palmer	Sloane C A
Bedell	Egan	Hoffman	Paris	Sloane J J
Beede	Ellis	Hutton	Patton	Smith J E
Boland	Evarts	Johnson	Phillips	Snyder
Brennan E C	Fallows	Juengst	Pickett	Sprague
Brennan J F	Fancher	Kane	Poth	Streifler
Brewster	Farrell	Kelly G T	Redington	Sullivan W J
Brown	Finn	Kelsey	Riedman	Ten Eyck
Bryan	Fish	Kullman	Rierdon	Torborg
Bulkley	Fitzgerald	Lewis M E	Roberts	Trainor
Burnett	Fordyce	Lewis T D	Rodenbeck	Tripp
Cain	Fowler	Litchard	Rogers	Ware
Clark	Gallagher	Mangin	Rowe	West
Collier	Gardiner	Mason	Russell	Whipple
Collins	Gleason	Mazet	Sabine	Wingenfeld.
Cottle	Gould	McEwan	Sage H M	Wissel
Cotton	Green	McInerney	Sage S B	Witter

In the negative,

Martin

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1735) entitled "An act amending the Fisheries, Game and Forest Law, in relation to certain fish that may be

caught in lakes and waters named " (Int. No. 1207), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 140
} NOES 00

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Meister	Schmid A F
Allds	Cross	Grossman	Meyer	Schmid F
Apgar	Darrison	Guider	Miles	Schoeneck
Axtell	Davis	Harburger	Mohring	Sears
Babcock	Dean	Hatch	Murphy	Sbarkey
Baker	De Graw	Hays	O'Connell	Siems
Ball	Delaney	Heller	O'Connor	Slater
Barrett	Dillon	Henry	Palmer	Sloane C A
Bashford	Doughty	Hill	Paris	Sloane J J
Baum	Dutton	Hitchcock	Patton	Smith J E
Bedell	Egan	Hoffman	Pickett	Snyder
Beede	Ellis	Johnson	Post	Sprague
Boland	Evarts	Juengst	Poth	Stoneman
Brennan E C	Fallows	Kane	Redington	Streifler
Brennan J F	Fancher	Kelly G T	Riedman	Sullivan T P
Brewster	Farrell	Kelsey	Rierdon	Sullivan W J
Brown	Finn	Kullman	Roberts	Ten Eyck
Bryan	Fish	Lewis M E	Roche	Torborg
Bulkley	Fitzgerald	Lewis T D	Rodenbeck	Trainor
Burnett	Fordyce	Litchard	Rogers	Tripp
Caín	Fowler	Mangin	Rowe	Vincent
Clark	Gale	Martin	Sabine	Ware
Collier	Gallagher	Mason	Sage H M	West
Collins	Gardiner	Mazet	Sage S B	Whipple
Costello	Gleason	McEwan	Sanders	Wilson
Cottle	Gould	McInerney	Sandford	Wingenfeld
Cotton	Graham	McKeown	Sands	Wissel
Coughtry	Green	McMillan	Sawyer	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 622, Assembly reprint No. 1746) entitled

"An act to authorize the city of Syracuse to borrow money by the issue of bonds, to provide for their redemption, and to provide for the acquiring of title to the necessary land for a site for, and the erection of, a new high school building in said city " (Rec. No. 105), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meister	Sawyer
Allds	Darrison	Hatch	Meyer	Schmid A F
Apgar	Davis	Hays	Miles	Schmid F
Axtell	Dean	Heller	Mohring	Schoeneck
Babcock	De Graw	Henderson	Murphy	Sears
Baker	Dillon	Henry	O'Connell	Siems
Ball	Doughty	Hill	O'Connor	Slater
Barrett	Dutton	Hitchcock	Palmer	Sloane C A
Bashford	Egan	Hoffman	Paris	Sloane J J
Baum	Ellis	Hutton	Patton	Smith J E
Bedell	Evarts	Johnson	Phillips	Smith J T
Beede	Fallows	Juengst	Pickett	Snyder
Boland	Fancher	Kane	Post	Sprague
Brennan E C	Farrell	Kelley E E	Poth	Stoneman
Brewster	Finn	Kelly G T	Redington	Streifler
Brown	Fish	Kelsey	Riedman	Sullivan T P
Bryan	Fitzgerald	Kullman	Rierdon	Sullivan W J
Bulkley	Fordyce	Lewis M E	Roberts	Ten Eyck
Burnett	Fowler	Lewis T D	Roche	Thorn
Cain	Gale	Litchard	Rodenbeck	Torborg
Clark	Gallagher	Mangin	Rogers	Trainor
Collier	Gardiner	Martin	Russell	Tripp
Collins	Gleason	Mason	Sabine	Vincent
Costello	Graham	Mazet	Sage H M	West
Cottle	Green	McEwan	Sage S B	Whipple
Cotton	Greenwood	McInerney	Sanders	Wilson
Coughtry	Grossman	McKeown	Sandford	Wingenfeld
Cowles	Hallock	McMillan	Sands	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1725) entitled "An act to amend the Fisheries, Game and Forest Law, to provide for granting franchises for shellfish cultivation in Long Island Sound in Queens and Nassau counties" (Int. No. 241), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McMillan	Schmid A F
Allds	Darrison	Hallock	Meister	Schmid F
Apgar	Davis	Harburger	Meyer	Schoeneck
Axtell	Dean	Hatch	Miles	Sears
Babcock	De Graw	Hays	Mohring	Sharkey
Baker	Delaney	Heller	Murphy	Slater
Ball	Dillon	Henderson	O'Connell	Sloane O A
Barrett	Doughty	Henry	O'Connor	Sloane J J
Bashford	Dutton	Hill	Palmer	Smith J T
Baum	Egan	Hitchcock	Paris	Snyder
Bedell	Ellis	Hoffman	Phillips	Sprague
Beede	Evarts	Hutton	Pickett	Stoneman
Boland	Fallows	Johnson	Post	Streifler
Brennan E C	Fancher	Juengst	Poth	Sullivan T P
Brennan J F	Farrell	Kelley E E	Redington	Sullivan W J
Brown	Finn	Kelly G T	Riedman	Ten Eyck
Bryan	Fish	Kelsey	Rierdon	Thorn
Bulkley	Fitzgerald	Kullman	Roberts	Torborg
Burnett	Fordyce	Lewis M E	Roche	Trainor
Cain	Fowler	Lewis T D	Rodenbeck	Tripp
Clark	Gallagher	Litchard	Rogers	Vincent
Collier	Gardiner	Mangin	Russell	Ware
Collins	Gleason	Martin	Sabine	Whipple
Costello	Gould	Mason	Sage S B	Wilson
Cottle	Graham	Mazet	Sanders	Wingenfeld
Cotton	Green	McEwan	Sandford	Wissel
Coughtry	Greenwood	McInerney	Sands	Witter
Cowles	Grossman	McKeown	Sawyer	

Ordered, That the Clerk deliver said bill to the Assembly, and request their concurrence therein.

The bill (No. 1723) entitled "An act to amend the Greater New York charter, of chapter 378 of the Laws of 1897, in relation to the municipal courts in the borough of Brooklyn" (Int. No. 273), having been announced for a third reading,

Mr. Schoeneck moved to recommit said bill to the committee on affairs of cities.

Debate was had thereon, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Schoeneck, and it was determined in the negative.

{ AYES 49 }
{ NOES 60 }

Those who voted in the affirmative, were

Ball	Finn	Juengst	Palmer	Sharkey
Barrett	Fitzgerald	Kane	Phillips	Siems
Bashford	Gallagher	Kelly G T	Pöth	Sloane J J
Baum	Gould	Kullman	Riedman	Smith J E
Boland	Green	Mangin	Rierdon	Streifler
Brennan J F	Grossman	McInerney	Roche	Sullivan W J
Collins	Guider	McKeown	Sage S B	Torborg
Dean	Harburger	Meister	Sanders	Wingenfeld
Dillon	Heller	Meyer	Schmid A F	Wissel
Farrell	Hutton	O'Connor	Schoeneck	

Those who voted in the negative, were

Allds	Coughtry	Hays	McEwan	Schmid F
Apgar	Cowles	Henry	McMillan	Slater
Babcock	Darrison	Hill	Miles	Smith J T
Baker	Davis	Hitchcock	Post	Snyder
Bedell	De Graw	Johnson	Rodenbeck	Sprague
Beede	Doughty	Kelley E E	Rogers	Stoneman
Brennan E C	Fallows	Kelsey	Rowe	Tripp
Brewster	Fancher	Lewis M E	Russell	Vincent
Bulkley	Fowler	Lewis T D	Sabine	West
Burnett	Greenwood	Martin	Sage H M	Whipple
Collier	Hallock	Mason	Sandford	Wilson
Cotton	Hatch	Mazet	Sands	Witter

Mr. Kelsey moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	De Graw	Hill	Murphy	Schoeneck
Apgar	Delaney	Hitchcock	O'Connor	Sears
Babcock	Dillon	Hutton	Palmer	Sharkey
Baker	Doughty	Johnson	Pickett	Slater
Ball	Dutton	Juengst	Post	Sloane C A
Barrett	Evarts	Kane	Poth	Sloane J J
Bashford	Fallows	Kelley E E	Redington	Smith J E
Bedell	Fancher	Kelly G T	Riedman	Smith J T
Beede	Finn	Kelsey	Rierdon	Snyder
Brennan E C	Fitzgerald	Kullman	Roberts	Sprague
Brennan J F	Fowler	Lewis M E	Roche	Stoneman
Brewster	Gallagher	Lewis T D	Rodenbeck	Streifler
Bryan	Gardiner	Litchard	Rogers	Ten Eyck
Bulkley	Gleason	Mangin	Rowe	Thorn
Burnett	Graham	Martin	Russell	Torborg
Clark	Green	Mason	Sabine	Trainor
Collier	Greenwood	Mazet	Sage H M	Tripp
Collins	Grossman	McEwan	Sage S B	Vincent
Costello	Guider	McInerney	Sanders	West
Cottle	Hallock	McKeown	Sandford	Whipple
Cotton	Harburger	McMillan	Sands	Wilson
Coughtry	Hatch	Meister	Sawyer	Wingenfeld
Cowles	Hays	Meyer	Schmid A F	Wissel
Darrison	Heller	Miles	Schmid F	Witter
Dean	Henry			

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The Clerk furnished a list of absentees to the sergeant-at-arms, who appeared in due time before the bar of the House with Messrs. Fordyce, Ware and Ellis, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Kelsey moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 56 }

Those who voted in the affirmative, were

Allds	Cowles	Greenwood	Mazet	Sears
Apgar	Darrison	Hallock	McEwan	Slater
Babcock	Davis	Hatch	McMillan	Smith J T
Baker	De Graw	Hays	Miles	Snyder
Bedell	Delaney	Henry	Murphy	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Thorn
Brewster	Ellis	Johnson	Rodenbeck	Tripp
Bryan	Evarts	Kelley E E	Rogers	Vincent
Bulkley	Fallows	Kelsey	Rowe	Ware
Burnett	Fancher	Lewis M E	Russell	West
Clark	Fordyce	Lewis T D	Sage H M	Whipple
Collier	Fowler	Litchard	Sandford	Wilson
Costello	Gardiner	Martin	Sands	Witter
Cotton	Gleason	Mason	Sawyer	Speaker
Coughtry	Graham			

Those who voted in the negative, were

Ball	Fitzgerald	Kane	Phillips	Schoeneck
Barrett	Gallagher	Kelly G T	Pickett	Sharkey
Bashford	Gould	Kullman	Poth	Siems
Baum	Green	Maher	Redington	Sloane J J
Boland	Grossman	Mangin	Riedman	Smith J E
Brennan J F	Guider	McInerney	Rierdon	Streifer
Collins	Harburger	McKeown	Roche	Sullivan W J
Dean	Heller	Meister	Sage S B	Torborg
Dillon	Hoffman	Meyer	Sanders	Trainor
Egan	Hutton	O'Connell	Schmid A F	Wingenfeld
Farrell	Juengst	Palmer	Schmid F	Wissel
Finn				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 848, Assembly reprint No. 1749) entitled "An act for the protection of public health, and to prevent mistakes in the handling of poison" (Rec. No. 164), was read the third time, having been printed and upon the desks of the members

in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 45 }

Those who voted in the affirmative, were

Apgar	Dillon	Hatch	O'Connell	Sharkey
Babcock	Doughty	Hoffman	O'Connor	Sloane C A
Ball	Egan	Hutton	Patton	Sloane J J
Barrett	Ellis	Juengst	Phillips	Smith J E
Baum	Evarts	Kane	Pickett	Smith J T
Beede	Fancher	Kelly G T	Riedman	Stoneman
Boland	Farrell	Kullman	Rierdon	Streifler
Brennan J F	Finn	Maher	Roche	Sullivan T P
Brewster	Fitzgerald	Mangin	Sabine	Sullivan W J
Burnett	Fordyce	Martin	Sage S B	Ten Eyck
Cain	Gallagher	McInerney	Sanders	Thorn
Collier	Gould	Meister	Sandford	Trainor
Collins	Grossman	Meyer	Schmid A F	Tripp
Cotton	Guider	Miles	Schmid F	Whipple
Coughtry	Hallock	Mohring	Schoeneck	Wilson
Dean	Harburger	Murphy	Sears	Wingenfeld
De Graw				

Those who voted in the negative, were

Allds	Davis	Hill	Mazet	Sands
Baker	Fallows	Hitchcock	McEwan	Sawyer
Bedell	Fish	Johnson	McMillan	Slater
Brennan E C	Fowler	Kelley E E	Palmer	Snyder
Bulkley	Graham	Kelsey	Post	Sprague
Costello	Green	Lewis M E	Roberts	Torborg
Cottle	Hays	Lewis T D	Rowe	Vincent
Cowles	Heller	Litchard	Russell	West
Darrison	Henry	Mason	Sage H M	Wissel

Mr. Henry moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote upon the final passage of said bill, and it was determined in the negative, a majority of all

the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 47 }
 { NOES 58 }

Those who voted in the affirmative, were

Allds	Cotton	Green	Lewis T D	Rowe
Babcock	Cowles	Grossman	Litchard	Russell
Baker	Darrison	Heller	Mason	Sage H M
Ball	Davis	Henry	McEwan	Sears
Bashford	Fallows	Hill	Palmer	Slater
Bedell	Fish	Hitchcock	Post	Sprague
Beede	Fowler	Johnson	Roberts	Vincent
Brennan EC	Gleason	Kelsey	Rodenbeck	West
Bryan	Gould	Lewis M E	Rogers	Wilson
Cottle	Graham			

Those who voted in the negative, were

Apgar	Evarts	Kelly G T	Phillips	Schmid A F
Baum	Fancher	Kullman	Pickett	Schmid F
Boland	Fitzgerald	Maher	Poth	Schoeneck
Brewster	Fordyce	Mangin	Redington	Sharkey
Burnett	Gallagher	Martin	Riedman	Smith J E
Collier	Gardiner	McInerney	Rierdon	Smith J T
Dean	Greenwood	McKeown	Roche	Snyder
De Graw	Guider	Meister	Sabine	Streifler
Dillon	Harburger	Meyer	Sage S B	Thorn
Dutton	Hays	Miles	Sanders	Trainor
Egan	Hoffman	Murphy	Sands	Whipple
Ellis	Kane	O'Connell		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same with amendments.

The bill (No. 1728) entitled "An act to annex certain portions of the town of Lansingburgh, in the county of Rensselaer, to the towns of Brunswick and Schaghticoke, respectively" (Int. No. 450), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Mohring	Schmid A F
Allds	Davis	Hays	Murphy	Schmid F
Apgar	Dean	Heller	O'Connell	Schoeneck
Axtell	De Graw	Henderson	O'Connor	Sears
Babcock	Delaney	Henry	Palmer	Sharkey
Baker	Dillon	Hill	Paris	Siems
Ball	Doughty	Hitchcock	Patton	Sloane C A
Barrett	Dutton	Hoffman	Phillips	Sloane J J
Bashford	Egan	Johnson	Pickett	Smith J T
Baum	Ellis	Juengst	Post	Snyder
Bedell	Evarts	Kane	Poth	Sprague
Beede	Fallows	Kelley E E	Redington	Stoneman
Boland	Fancher	Kelly G T	Riedman	Streifler
Brennan E C	Farrell	Kelsey	Rierdon	Sullivan T P
Brewster	Finn	Kullman	Roberts	Ten Eyck
Brown	Fish	Lewis M E	Roche	Thorn
Bryan	Fitzgerald	Lewis T D	Rodenbeck	Torborg
Burnett	Fordyce	Litchard	Rogers	Trainor
Cain	Fowler	Mangin	Rowe	Tripp
Clark	Gale	Martin	Russell	Vincent
Collier	Gallagher	Mason	Sabine	Ware
Collins	Gleason	Mazet	Sage H M	West
Costello	Gould	McInerney	Sage S B	Whipple
Cottle	Green	McKeown	Sanders	Wilson
Cotton	Greenwood	McMillan	Sandford	Wingenfeld
Coughtry	Grossman	Meyer	Sands	Wissel
Cowles	Hallock	Miles	Sawyer	Witter
Cross	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1107) entitled "An act to amend the Membership Corporation Law, in relation to the erection of soldiers' monuments" (Int. No. 956), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
 { NOES 00 }

Those who voted in the affirmative, were

Allds	Cross	Harburger	Meyer	Schoeneck
Adler	Darrison	Hatch	Miles	Sears
Apgar	Davis	Hays	Mohring	Sharkey
Axtell	Dean	Heller	Murphy	Siems
Babcock	De Graw	Henderson	O'Connor	Slater
Baker	Dillon	Henry	Palmer	Sloane C A
Ball	Doughty	Hill	Paris	Sloane J J
Barrett	Dutton	Hitchcock	Patton	Smith J E
Bashford	Egan	Hoffman	Phillips	Smith J T
Baum	Ellis	Hutton	Pickett	Snyder
Bedell	Evarts	Johnson	Post	Sprague
Beede	Fallows	Kane	Poth	Stoneman
Boland	Fancher	Kelley E E	Redington	Streifler
Brennan E C	Farrell	Kelly G T	Riedman	Sullivan T P
Brewster	Finn	Kelsey	Rierdon	Sullivan W J
Brown	Fish	Kullman	Roberts	Ten Eyck
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Fowler	Lewis T D	Rodenbeck	Torborg
Byrnett	Gale	Maher	Rogers	Trainor
Cain	Gallagher	Mangin	Rowe	Tripp
Clark	Gleason	Martin	Sabine	Vincent
Collier	Gould	Mason	Sage H M	Ware
Collins	Graham	Mazet	Sage S B	West
Costello	Green	McEwan	Sandford	Whipple
Cottle	Greenwood	McInerney	Sands	Wilson
Cotton	Grossman	McKeown	Sawyer	Wingenfeld
Coughtry	Guider	McMillan	Schmid A F	Wissel
Cowles	Hallock	Meister	Schmid F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1577) entitled "An act authorizing the board of estimate and apportionment of the city of New York, to take proof of the claim of Michael Mullady, for certain work, labor and services alleged to have been done under the direction of Honorable John P. Adams, a commissioner of city works, of the late city of Brooklyn, and to allow and pay to said Michael Mullady, such compensation therefor, as it may deem just and proper" (Int. No. 1254), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 147 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Schmid A F
Allds	Davis	Hatch	Meyer	Schmid F
Apgar	Dean	Hays	Miles	Schoeneck
Axtell	De Graw	Heller	Mohring	Sears
Babcock	Delaney	Henderson	Murphy	Sharkey
Baker	Dillon	Henry	O'Connell	Siems
Ball	Doughty	Hill	O'Connor	Slater
Barrett	Dutton	Hitchcock	Palmer	Sloane C A
Bashford	Egan	Hoffman	Paris	Sloane J J
Baum	Ellis	Hutton	Phillips	Smith J E
Bedell	Evarts	Johnson	Pickett	Smith J T
Beede	Fallows	Juengst	Post	Snyder
Boland	Fancher	Kane	Poth	Sprague
Brennan E C	Farrell	Kelley E E	Redington	Stoneman
Brennan J F	Finn	Kelly G T	Riedman	Streifler
Brewster	Fish	Kelsey	Rierdon	Sullivan T P
Brown	Fitzgerald	Kullman	Roberts	Sullivan W J
Bryan	Fordyce	Lewis M E	Roche	Ten Eyck
Bulkley	Fowler	Lewis T D	Rodenbeck	Thorn
Burnett	Gale	Litchard	Rogers	Torborg
Cain	Gallagher	Maher	Rowe	Trainor
Clark	Gardiner	Mangin	Russell	Vincent
Collier	Gleason	Martin	Sabine	Ware
Collins	Gould	Mason	Sage H M	West
Costello	Graham	Mazet	Sage S B	Whipple
Cottle	Green	McEwan	Sanders	Wilson
Cotton	Greenwood	McInerney	Sandford	Wingenfeld
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1495) entitled "An act in relation to the transfer of captains, sergeants, roundsmen and patrolmen of the police force of the city of New York" (Int. No. 1201), having been announced for a third reading,

On motion of Mr. Cotton, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1380) entitled "An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the protection of the property in such village against fire and to provide a method and means of payment therefor" (Int. No. 1123), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hatch	Miles	Schmid F
Allds	Dean	Hays	Mohring	Sears
Apgar	De Graw	Heller	Murphy	Siems
Axtell	Delaney	Henderson	O'Connell	Slater
Babcock	Dillon	Henry	O'Connor	Sloane C A
Baker	Doughty	Hill	Palmer	Sloane J J
Ball	Dutton	Hitchcock	Paris	Smith J E
Barrett	Egan	Hoffman	Patton	Smith J T
Bashford	Ellis	Hutton	Phillips	Snyder
Baum	Evarts	Juengst	Pickett	Sprague
Bedell	Fallows	Kane	Post	Stoneman
Beede	Farrell	Kelley E E	Poth	Streifler
Boland	Finn	Kelly G T	Redington	Sullivan T P
Brennan E C	Fish	Kelsey	Riedman	Sullivan W J
Brennan J F	Fitzgerald	Kullman	Rierdon	Ten Eyck
Brewster	Fordyce	Lewis M E	Roberts	Thorn
Buikley	Fowler	Lewis T D	Roche	Torborg
Burnett	Gale	Litchard	Rodenbeck	Trainor
Cain	Gallagher	Mangin	Rogers	Tripp
Clark	Gardiner	Martin	Rowe	Vincent
Collier	Gleason	Mason	Russell	Ware

Collins	Graham	Mazet	Sabine	West
Cottle	Green	McEwan	Sage S B	Whipple
Cotton	Greenwood	McInerney	Sanders	Wilson
Coughtry	Grossman	McKeown	Sandford	Wingenfeld
Cowles	Guider	McMillan	Sands	Wissel
Cross	Hallock	Meister	Sawyer	Witter
Darrison	Harburger	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1381) entitled "An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same" (Int. No. 1124), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hallock	Meister	Sawyer
Allds	Dean	Harburger	Meyer	Schmid A F
Apgar	De Graw	Hatch	Miles	Schmid F
Axtell	Delaney	Hays	Mohring	Sharkey
Babcock	Dillon	Heller	Murphy	Siems
Baker	Doughty	Henderson	O'Connell	Slater
Ball	Dutton	Henry	O'Connor	Sloane C A
Barrett	Egan	Hill	Palmer	Smith J E
Bashford	Ellis	Hitchcock	Patton	Smith J T
Baum	Evarts	Hoffman	Phillips	Snyder
Bedell	Fallows	Hutton	Pickett	Sprague
Beede	Fancher	Johnson	Post	Streifler
Boland	Farrell	Juengst	Poth	Sullivan T P

Brennan E C	Finn	Kane	Redington	Sullivan W J
Brennan J F	Fish	Kelley E E	Riedman	Ten Eyck
Brewster	Fitzgerald	Kelly G T	Rierdon	Thorn
Brown	Fordyce	Kelsey	Roberts	Torborg
Bryan	Fowler	Kullman	Roche	Trainor
Bulkley	Gale	Lewis M E	Rodenbeck	Tripp
Burnett	Gallagher	Lewis T D	Rogers	Vincent
Cain	Gardiner	Litchard	Rowe	Ware
Clark	Gleason	Martin	Russell	West
Collins	Gould	Mason	Sabine	Whipple
Costello	Graham	Mazet	Sage S B	Wilson
Cottle	Green	McEwan	Sanders	Wingenfeld
Coughtry	Greenwood	McInerney	Sandford	Wissel
Cowles	Grossman	McKeown	Sands	Witter
Cross	Guider	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1604) entitled "An act in relation to the election of county treasurer of Niagara county " (Int. No. 1258), having been announced for a third reading,

On motion of Mr. Darrison, said bill was laid aside and ordered stricken from the calendar.

The Senate bill (No. 870) entitled "An act authorizing the commissioners of the land office to convey a tract of land situated on the Long Island State Hospital farm to the town of Smithtown for a highway " (Rec. No. 184), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Mohring	Schoeneck
Allds	Davis	Heller	Murphy	Sears
Apgar	Dean	Henderson	O'Connell	Sharkey
Axtell	De Graw	Henry	O'Connor	Siems

Babcock	Delaney	Hill	Palmer	Slater
Baker	Dillon	Hitchcock	Paris	Sloane C A
Ball	Doughty	Hoffman	Patton	Sloane J J
Barrett	Dutton	Hutton	Phillips	Smith J E
Bashford	Egan	Johuson	Pickett	Smith J T
Baum	Ellis	Kane	Poth	Snyder
Bedell	Evarts	Kelley E E	Redington	Sprague
Beede	Fallows	Kelly G T	Riedman	Streifler
Boland	Fancher	Kelsey	Rierdon	Sullivan T P
Brennan E C	Farrell	Kullman	Roberts	Sullivan W J
Brennan J F	Finn	Lewis M E	Roche	Ten Eyck
Brewster	Fish	Lewis T D	Rodenbeck	Thorn
Bryan	Fordyce	Litchard	Rogers	Torborg
Bulkley	Fowler	Maher	Rowe	Trainor
Burnett	Gale	Mangin	Russell	Tripp
Cain	Gallagher	Martin	Sabine	Vincent
Clark	Gardiner	Mason	Sage H M	Ware
Collier	Gleason	Mazet	Sage S B	West
Collins	Gould	McEwan	Sanders	Whipple
Costello	Graham	McKeown	Sandford	Wilson
Cottle	Greenwood	McMillan	Sawyer	Wingenfeld
Cotton	Hallock	Meister	Schmid A F	Wissel
Coughtry	Harburger	Miles	Schmid F	Witter
Cowles				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1172) entitled "An act to protect the public health by regulating the sale of milk in certain cities of the State" (Int. No. 1003), was read the second time.

On motion of Mr. Trainor, said bill was placed on the order of third reading and referred to the committee on revision.

On motion of Mr. Trainor, said bill was recommitted to the committee on public health, retaining its place on the order of third reading.

The bill (No. 1776) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers" (Int. No. 1354), having been announced for a second reading,

On motion of Mr. Heller, said bill was recommitted to the com-

mittee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1612) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (Int. No. 1261), having been announced for a second reading,

On motion of Mr. T. D. Lewis, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

By unanimous consent, Mr. Kelly called up Senate bill (No. 366) entitled "An act authorizing the commissioners of the land office to grant letters patent to John W. Burdick of certain lands" (Rec. No. 113).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 145 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	Meister	Schmid A F
Allds	Dean	Hatch	Meyer	Schmid F
Apgar	De Graw	Hays	Miles	Schoeneck
Axtell	Delaney	Heller	Mohring	Sears
Babcock	Dillon	Henderson	Murphy	Sharkey
Baker	Doughty	Henry	O'Connell	Siems
Ball	Dutton	Hill	O'Connor	Slater
Barrett	Egan	Hitchcock	Palmer	Sloane C A
Baum	Ellis	Hoffman	Paris	Sloane J J
Bedell	Evarts	Hutton	Patton	Smith J E
Beede	Fallows	Johnson	Phillips	Smith J T
Boland	Fancher	Juengst	Pickett	Snyder
Brennan E C	Farrell	Kane	Post	Sprague
Brennan J F	Finn	Kelley E E	Poth	Stoneman
Brewster	Fish	Kelly G T	Redington	Streifler
Brown	Fitzgerald	Kelsey	Riedman	Sullivan T P
Bryan	Fordyce	Kullman	Rierdon	Sullivan W J

Bulkley	Fowler	Lewis M E	Roberts	Ten Eyck
Burnett	Gale	Lewis T D	Roche	Thorn
Cain	Gallagher	Litchard	Rodenbeck	Torborg
Clark	Gardiner	Maher	Rogers	Trainor
Collier	Gleason	Mangin	Rowe	Tripp
Collins	Gould	Martin	Russell	Vincent
Costello	Graham	Mason	Sabine	West
Cottle	Green	Mazet	Sage H M	Whipple
Cotton	Greenwood	McEwan	Sage S B	Wilson
Cowles	Grossman	McInerney	Sanders	Wingenfeld
Cross	Gruider	McKeown	Sands	Wissel
Darrison	Hallock	McMillan	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Hutton called up the bill (No. 477) entitled "An act to authorize the county judge of Rensselaer county to appoint sidepath commissioners who shall have power to regulate the use of bicycles within such county, to license the same, and to expend the funds raised thereby in the construction and maintenance of sidepaths for bicycles" (Int. No. 457), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Hutton, said bill was laid aside and ordered stricken from the calendar.

Pursuant to notice, Mr. Grossman called up the bill (No. 520) entitled "An act to amend subdivision 16 of section 4, of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws'" (Int. No. 493), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Grossman, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

Pursuant to notice, Mr. Collier called up the bill (No. 783) entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and schoolhouses" (Int. No. 718), heretofore laid aside on the order of second reading.

Said bill was read the second time.

On motion of Mr. Collier, said bill was placed on the order of third reading, and referred to the committee on revision.

Pursuant to notice, Mr. Hitchcock called up the bill (No. 1754) entitled "An act declaring Spuyten Devil creek, Brant lake and Brant Lake creek, tributaries of the Schroon river, in the county of Warren to be public highways, and providing for the assessment of damages to riparian owners thereof" (Int. No. 670), heretofore laid aside on the order of second reading.

Said bill was read the second time.

On motion of Mr. Hitchcock, said bill was placed on the order of third reading.

On motion of Mr. Hitchcock, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 143 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hays	Murphy	Schoeneck
Allds	De Graw	Henderson	O'Connell	Sears
Apgar	Delaney	Henry	O'Connor	Sharkey
Axtell	Dillon	Hill	Palmer	Siems
Babcock	Doughty	Hitchcock	Paris	Slater
Baker	Dutton	Hoffman	Patton	Sloane C A
Ball	Egan	Hutton	Phillips	Sloane J J
Barrett	Evarts	Johnson	Pickett	Smith J E
Bashford	Fallows	Juengst	Post	Smith J T
Baum	Fancher	Kane	Poth	Snyder
Bedell	Farrell	Kelley E E	Redington	Sprague
Beede	Finn	Kelly G T	Riedman	Stoneman
Boland	Fish	Kelsey	Rierdon	Streifler
Brennan J F	Fitzgerald	Kullman	Roberts	Sullivan T P
Brewster	Fordyce	Lewis M E	Roche	Sullivan W J
Brown	Fowler	Lewis T D	Rodenbeck	Ten Eyck

Bryan	Gale	Litchard	Rogers	Thorn
Bulkley	Gallagher	Mangin	Rowe	Torborg
Burnett	Gardiner	Martin	Russell	Trainor
Clark	Gleason	Mason	Sabine	Tripp
Collier	Gould	Mazet	Sage H M	Vincent
Collins	Graham	McEwan	Sage S B	Ware
Costello	Green	McInerney	Sanders	West
Cottle	Greenwood	McKeown	Sandford	Whipple
Cotton	Grossman	McMillan	Sands	Wilson
Coughtry	Guider	Meister	Sawyer	Wingenfeld
Cowles	Hallock	Meyer	Schmid A F	Wissel
Cross	Harburger	Miles	Schmid F	Witter
Davis	Hatch	Mohring		

Ordered, That the clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Kane called up the bill (No. 1646) entitled "An act to amend chapter 108 of the Laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office in part and regulating the management of said office'" (Int. No. 994), now on the order of third reading.

Mr. Kane moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 3, section 4, line 12, add the following: "The said sheriff shall appoint a bookkeeper, to keep such book or books, and the salary of such bookkeeper shall be fixed by the board of supervisors, when other salaries in said office are fixed and paid by the county in the same manner that other salaries are paid and shall not be increased or diminished during the term of office of the sheriff."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cottle, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Sears, Int. No. 738, entitled "An act to reappropriate money for the completion of the State armory in the village of Malone, and making an additional

appropriation therefor " (No. 803), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Martin, Int. No. 79, entitled "An act providing for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, Oneida county, New York, and making an appropriation therefor " (No. 79), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Johnson, Int. No. 766, entitled "An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State " (No. 850), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Cowles, Int. No. 1372, entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture " (No. 1791), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Greenwood, Int. No. 1225, entitled "An act making an appropriation for the State Custodial Asylum for Feeble Minded Women at Newark, New York " (No. 1556), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Davis, Int. No. 1135, entitled "An act to provide for the improvement, care and protection of lands known as the 'Stony Point Peninsula,' the title to which has been acquired in the name of the people of the State

and making an appropriation therefor " (No. 1392); reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Allds, Int. No. 1111, entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State " (No. 1368), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Darrison, Int. No. 129, entitled "An act making an appropriation for rebuilding the existing bridge over the Erie canal at Chapel street in the city of Lockport " (No. 129), reported in favor of the passage of the same, with the following amendments:

Page 2, line 2, change period to semicolon, and insert the words " and provided further that the expense of operating the bridge shall not be a charge upon the state."

Same page, line 3, strike out the word " twenty " and insert the word " sixteen."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Patton, Int. No. 792, entitled "An act to provide for the repair, repavement and improvement of North Niagara street, in the village of Tonawanda, in the county of Erie, and making an appropriation therefor " (No. 880), reported in favor of the passage of the same, with the following amendments:

Page 1, line 6, commencing with the word " which " strike out balance of line and all of line 7, and the words " said street " on line 8.

Same page, line 9, strike out the words " The cost of such."

Page 2, strike out lines 1 and 2, and words " appropriated, and " and " twenty-five," in line 3.

Same page, line 3, strike out the word "twenty-five" and insert the word "seven."

Same page, line 5, insert a period after the word "purpose," and strike out balance of line and all of line 6 and the word "Tonawanda" in line 7.

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. E. E. Kelley, Int. No. 346, entitled "An act making an appropriation for constructing a tile drain on the north side of the Erie canal, in the eastern part of the village of Frankfort, in the county of Herkimer" (No. 356), reported in favor of the passage of the same, with the following amendment:

Page 1, line 5, strike out the words "fifteen hundred" and insert the words "two thousand."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was recommitted the bill introduced by Mr. E. C. Brennan, Int. No. 126, entitled "An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation" (No. 1316), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 193, entitled "An act to provide for the removal of the State Industrial School and making an appropriation therefor" (No. 448), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 103, entitled "An act making an appropriation for expenses incurred in the department of public buildings and for the maintenance of such department until September 30, 1899" (No. 661), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Wilcox, Rec. No. 201, entitled "An act to amend chapter 628 of the Laws of 1898, entitled 'An act to provide for the construction of a bridge and the approaches thereto, and for the extension and repair of the old abutments, in the village of Seneca Falls, in the county of Seneca, and making an appropriation therefor'" (No. 816), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Sherwood, Rec. No. 193, entitled "An act to amend that portion of chapter 607 of the Laws of 1898, making certain appropriations for the New York State Soldiers' and Sailors' Home; to extend the time for letting the contracts by the board of trustees of said home; for the completion of the work of constructing and equipping new buildings provided for in said chapter, and authorizing the board of trustees to use a portion of any balance unexpended of the appropriation made by said chapter, for the purpose of ordinary repairs" (No. 873), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 116, entitled "An act to amend chapter 672 of the Laws of 1898, in relation to expenditures for the National Guard and Naval Militia" (No. 608), reported in favor of the passage of the same, with the following amendment:

Page 2, line 14, after the word "him" strike out remainder of said line and all of line 15 to the word "but" and insert the following: "for replacing uniforms, overcoats, trousers, blouses, blankets and equipments worn out in service and to complete the necessary equipment for field service and medical outfit, to be expended as provided by the military code."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Farrell, Int. No. 699, entitled "An act to repeal chapter 433 of the Laws of 1881, entitled 'An act to exempt from all State or local taxation vessels registered in any port in the State of New York, owned by American citizens or corporations organized under the Laws of the State of New York and engaged in ocean commerce between any port in the United States and any foreign port, and to exempt for a limited period, the capital stock, franchise and earnings of such corporation from taxation for State and local purposes'" (No. 761), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Harburger, Int. No. 464, entitled "An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the city of New York (The German Polyclinic of the City of New York) from taxation'" (No. 484), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Green, Int. No. 356, entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation" (No. 366), reported in favor of the passage of the same, without amendment, which report

was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Collins, Int. No. 1367, entitled "An act to exempt from State county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital'" (No. 1800), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 163, entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (No. 116), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 172, entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of New Rochelle in the county of Westchester'" (No. 291), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Litchard, from the committee on agriculture, to which was referred the bill introduced by Mr. Babcock, Int. No. 1160, entitled "An act to amend the Agricultural Law, relating to the manufacture and use of coloring matter in food products" (No. 1427), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Litchard, from the committee on agriculture, to which was recommitted the bill introduced by Mr. Witter, Int. No. 1206, entitled "An act to amend the Agricultural Law, regulating the sale

and analysis of concentrated feeding stuffs" (No. 1734), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendment:

Page 4, line 16, strike out all of the clause after the word "fee" to and including the word "tons" on line 21, and insert in place thereof the words "of twenty-five dollars."

A. W. LITCHARD,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Greenwood, from the committee on excise, to which was referred the Senate bill introduced by Mr. Krum, Rec. No. 158, entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto" (No. 845), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to repeal section 1226 of chapter 378, entitled 'An act to unite in one municipality under the corporate name of The City of New York the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and anti-toxine." (No. 451, Int. No. 431.)

"An act to make the office of coroner within the county of Steuben a salaried office, and to regulate the management of said office." (No. 1028, Int. No. 900.)

"An act in relation to the term of office of the town treasurer of the town of Hempstead." (No. 1449, Int. No. 1179.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1610) entitled "An act to amend the Fish-

eries, Game and Forest Law, in relation to fishing in Lake Erie " (Int. No. 1266), reported the same with the following recommendation:

Page 1, line 8, after the word "law" insert the words "as amended by chapter nine hundred and seventy-four of the laws of eighteen hundred and ninety-five."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1341) entitled "An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of Sweden, county of Monroe,' in relation to the jurisdiction of police justice" (Int. No. 1101), reported the same with the following recommendation:

Page 1, line 3, after the word "Monroe" insert quotation marks.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1790) entitled "An act to amend the Town Law in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898" (Int. No. 144), reported the same with the following recommendations:

Page 1, line 1, after the word "of" insert the words "of chapter five hundred and sixty-nine of the laws of eighteen hundred and ninety, entitled 'An act in relation to towns, constituting chapter twenty of the general laws, known as.'"

Same page, line 2, strike out the word "enacted" and insert the word "inserted."

Amend the title by inserting a comma after the word "law" in the first line.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

“An act to amend section 2461 of the Code of Civil Procedure, relating to supplementary proceedings upon judgments against joint debtors when all defendants were not summoned.” (No. 1643, Int. No. 532.)

“An act to amend the Code of Civil Procedure, in relation to the suspension or removal of attorneys.” (No. 1733, Int. No. 1197.)

“An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work done and services performed for the State, under the provisions of chapter 577 of the Laws of 1864.” (No. 1647, Int. No. 1028.)

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Mount Hope avenue in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby.” (No. 1659, Int. No. 1155.)

“An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of John Culleton against the State of New York.” (No. 1666, Int. No. 917.)

“An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid.” (No. 1758, Int. No. 1305.)

“An act to provide for the appointment of sidepath commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and regulate their use on such sidepaths and to provide revenue therefor.” (No. 1649, Int. No. 1084.)

“An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement, in said department.” (No. 1663, Int. No. 1161.)

“An act to repeal section 1226 of chapter 378, entitled ‘An act to unite in one municipality under the corporate name of The City

of New York the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and anti-toxine." (No. 451, Int. No. 431.)

"An act to define the size of small fruit packages." (No. 1642, Int. No. 98.)

"An act to amend section 2731, of the Code of Civil Procedure, in relation to the limitation of actions by executors and administrators against heirs, devisees, legatees and next-of-kin of a decedent." (No. 1652, Int. No. 1133.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to the Erie canal, upon the property benefited thereby." (No. 1658, Int. No. 1150.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby." (No. 1653, Int. No. 1144.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from Main street to the Erie canal, on the property benefited thereby." (No. 1657, Int. No. 1149.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby." (No. 1656, Int. No. 1148.)

"An act to amend section 2342 of the Code of Civil Procedure, relating to the judicial settlement of the accounts of the committees of incompetent persons." (No. 1650, Int. No. 1092.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon

Court street in the city of Rochester, from South St. Paul street to Clinton street, upon the property benefited thereby." (No. 1660, Int. No. 1156.)

"An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the 14th day of August, 1851, and to release any interest of the State in and to the lands covered by said grant." (No. 1641, Rec. No. 68.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry S. Dermott, as sole surviving executor of the last will and testament of Stephen C. Dermott, deceased, against the State for damages alleged to have been sustained by the said Stephen C. Dermott, deceased, and to render judgment therefor." (No. 1724, Int. No. 1023.)

"An act to enable the fire commissioner of the city of New York to rehear and determine the charges against John J. Enright, a fireman of the first grade, for reinstatement in said department." (No. 1664, Int. No. 1214.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through South St. Paul street in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby." (No. 1662, Int. No. 1159.)

"An act to levy an assesment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue in the city of Rochester, upon property benefited thereby." (No. 1655, Int. No. 1147.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon South St. Paul street in the city of Rochester, from East Main street to Court street, upon the property benefited thereby." (No. 1661, Int. No. 1157.)

Mr. Murphy offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return to the Assembly of

Assembly bill No. 1406, entitled "An act for the protection of quail in the county of Montgomery" (Int. No. 530), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Delaney offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor requesting the return to the Assembly of Assembly bill No. 816, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department" (Int. No. 402), for the purposes of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate sent for concurrence the Senate bill (No. 950) entitled "An act in relation to the election of county treasurer of Niagara county" (Rec. No. 205), which was read the first time.

On motion of Mr. Darrison, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Darrison, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meyer	Schmid A F
Allds	Darrison	Hallock	Miles	Schmid F
Apgar	Davis	Hatch	Mohring	Sears

Axtell	Dean	Hays	Murphy	Sharkey
Babcock	De Graw	Heller	O'Connell	Siems
Baker	Delaney	Henderson	Palmer	Slater
Ball	Dillon	Henry	Paris	Sloane J J
Barrett	Doughty	Hill	Patton	Smith J E
Bashford	Dutton	Hitchcock	Phillips	Smith J T
Baum	Egan	Hoffman	Pickett	Snyder
Bedell	Ellis	Hutton	Post	Sprague
Beede	Evarts	Juengst	Poth	Stoneman
Boland	Fallows	Kane	Redington	Streifler
Brennan E O	Fancher	Kelley E E	Riedman	Sullivan T P
Brennan J F	Farrell	Kelly G T	Rierdon	Ten Eyck
Brewster	Finn	Kelsey	Roberts	Thorn
Brown	Fish	Kullman	Roche	Torborg
Bryan	Fordyce	Lewis M E	Rodenbeck	Trainor
Bulkley	Fowler	Lewis T D	Rogers	Tripp
Burnett	Gale	Litchard	Rowe	Vincent
Cain	Gallagher	Mangin	Sabine	Ware
Clark	Gardiner	Martin	Sage H M	West
Collier	Gleason	Mason	Sage S B	Whipple
Collins	Gould	Mazet	Sanders	Wilson
Cottle	Graham	McEwan	Sandford	Wingenfeld
Cotton	Green	McKeown	Sands	Wissel
Coughtry	Greenwood	McMillan	Sawyer	Witter
Cowles	Grossman	Meister		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

“An act to amend chapter 378 of the Laws of 1897, entitled ‘An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,’ relative to street cleaning department” (No. 767, Int. No. 702.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 511 of the Laws of 1889, entitled

‘An act to amend, revise and consolidate the several acts relating to the village of Cooperstown, in the county of Otsego,’ and all acts amendatory thereof.” (No. 1278, Int. No. 1065.)

“An act making an appropriation to compensate the commissioner appointed by the Governor by an order dated February 18, 1896, to inquire into the charges preferred against Edward J. H. Tamsen as sheriff of the city and county of New York.” (No. 534, Senate reprint No. 844, Int. No. 507.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act to provide for the disposition of moneys uncalled for and held, by the county treasurers of the State and by the comptroller of the city of New York, for the payment of jurors’ fees.” (No. 706, Senate reprint No. 784, Int. No. 220.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 25 of the Laws of 1870, entitled ‘An act to incorporate the city of Rome,’ in relation to highways, streets and bridges and the tax for the improvement thereof” (No. 640, Int. No. 316), with a message that this bill was duly passed by the Senate, the President stating the question to be, “Shall this bill become a law notwithstanding the objections of the mayor of the city of Rome, the same having been accepted by the common council, the legislative body of said city?” and a majority of all the Senators elected voted in favor thereof, three-fifths being present, said bill having been printed and upon the desks of the Senators in its final form at least three calendar legislative days.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Alexander Williams, Sr., mayor of the city of Dunkirk, returning the bill (No. 275) entitled “An act to amend chapter 396 of the Laws of 1885, entitled ‘An act to revise the charter of the city of Dunkirk,’ in relation to the application and payment of certain moneys by said city” (Int. No. 97), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Michael J. Day, mayor of the city of Watervliet, returning the bill (No. 932) entitled "An act to amend chapter 906 of the Laws of 1896, entitled 'An act to provide for a board of water commissioners, in the city of Watervliet, and a proper supply of water for said city,' passed May 26, 1896" (Int. No. 826), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Michael J. Day, mayor of the city of Watervliet, returning the bill (No. 274) entitled "An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet,' as amended by chapter 759 of the Laws of 1897 and chapter 245 of the Laws of 1898, relative to the fire department" (Int. No. 50), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Miles gave notice that on March 27, he would call up the bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest" (Int. No. 175), the same having been laid aside on the order of second reading.

Mr. Speaker presented the report of the New York State commissioners to the Trans-Mississippi and International Exposition, which was laid upon the table and ordered printed.

(See Document.)

Privileges of the floor were extended as follows: Hon. Frank L. Smith of Saratoga, Hon. Judson Lawson of New York.

Leave of absence was granted Mr. Gale until Monday evening; also, Mr. Patton for the day.

By unanimous consent,

Mr. Mason introduced a bill entitled "An act authorizing the acquisition of lands by the United States for the purpose of erect-

ing public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands" (Int. No. 1419), which was read the first time.

On motion of Mr. Mason, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' as amended by chapter 131 of the Laws of 1886, and as amended by chapter 82 of the Laws of 1894, and as amended by chapter 661 of the Laws of 1895, and as amended by chapter 25 of the Laws of 1897, and as amended by chapter 45 of the Laws of 1899" (Int. No. 1420), which was read the first time.

On motion of Mr. Fish, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on general laws.

By unanimous consent,

Mr. Doughty introduced a bill entitled "An act to provide for the apportionment of the bonded indebtedness of the county of Queens contracted prior to January 1, 1898" (Int. No. 1421), which was read the first time.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Doughty introduced a bill entitled "An act to define the liberties of the jail in and for the county of Queens" (Int. No. 1422), which was read the first time.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act to provide for the

division of the personal property of the county of Queens, as the same was constituted prior to January 1, 1899 " (Int. No. 1423), which was read the first time.

On motion of Mr. Gale, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. G. T. Kelly introduced a bill entitled "An act to amend section 25 of the Banking Law, relating to restrictions upon corporations or bankers " (Int. No. 1424), which was read the first time, and referred to the committee on banks.

By unanimous consent,

Mr. M. E. Lewis introduced a bill entitled " Concurrent resolution proposing an amendment to the Constitution in relation to exemption from taxation on real or personal property " (Int. No. 1425), which was read the first time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fowler introduced a bill entitled "An act to authorize the Jamestown Co-operative Supply Company to issue non-transferable stock " (Int. No. 1426), which was read the first time, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Litchard introduced a bill entitled "An act to amend chapter 605 of the Laws of 1898, relating to the condemnation of cemeteries by the Genesee River Company and to provide for the removal of bodies therefrom " (Int. No. 1427), which was read the first time.

On motion of Mr. Litchard, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fowler introduced a bill entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to the compensation of policemen " (Int. No. 1428), which was read the first time.

On motion of Mr. Fowler, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Mazet introduced a bill entitled "An act to provide for the appointment of a supervisor of taxes within the forest preserve and to prescribe his powers and duties" (Int. No. 1429), which was read the first time, and referred to the committee on ways and means.

Leave of absence was granted to Mr. Hoffman until Monday next.

On motion of Mr. Allds, the House adjourned.

FRIDAY, MARCH 24, 1899.

The House met pursuant to adjournment.

Prayer by Rev. W. W. Battershall.

On motion of Mr. McKeown, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. E. C. Brennan introduced a bill entitled "An act to repeal chapter 935 of the Laws of 1896, entitled 'An act to amend the Transportation Corporations Law by extending its provisions to canals and other waterways, and reducing the minimum of capitalization'" (Int. No. 1430), which was read the first time and referred to the committee on the judiciary.

Mr. Collier introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to a special verdict" (Int. No. 1431), which was read the first time and referred to the committee on codes.

Mr. Dean introduced a bill entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways'" (Int. No. 1432), which was read the first time and referred to the committee on internal affairs.

Mr. Ellis introduced a bill entitled "An act to amend the Indian Law in relation to the sale of gypsum on the Tonawanda Reservation" (Int. No. 1433), which was read the first time and referred to the committee on Indian affairs.

Mr. Evarts introduced a bill entitled "An act to legalize the appropriation of \$14,000 made by a majority of the electors of the town of Carlton, Orleans county, New York, at the last annual town meeting in said town on March 14, 1899" (Int. No. 1434), which was read the first time and referred to the committee on internal affairs.

"Mr. Gardiner introduced a bill entitled "An act to amend chapter 220 of the Laws of 1897, entitled 'An act to provide for the acquisition of land in the territory embraced in the Adirondack park' and making an appropriation therefor" (Int. No. 1435), which was read the first time and referred to the committee on ways and means.

Mr. Mason introduced a bill entitled "An act to amend the Agricultural Law relative to the promotion of sugar beet culture" (Int. No. 1436), which was read the first time and referred to the committee on agriculture.

Mr. Patton introduced a bill entitled "An act to extend the time of redemption of taxes on the land of the German Lutheran St. Nicodemus Church of Marilla, Erie county, N. Y." (Int. No. 1437), which was read the first time and referred to the committee on ways and means.

Mr. Poth introduced a bill entitled "An act to amend chapter 376 of the Laws of 1896, entitled 'An act relating to domestic commerce, constituting chapter 32 of the general laws, relating to duty of hotel keepers'" (Int. No. 1438), which was read the first time and referred to the committee on general laws.

Mr. Slater introduced a bill entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York in relation to buildings in said city'" (Int. No. 1439), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act to amend section 518 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the aqueduct commission" (Int. No. 1440), which was read the first time and referred to the committee on affairs of cities.

Mr. W. J. Sullivan introduced a bill entitled "An act making an appropriation for repairs to be made to the monument on the Oriskany battlefield and to the Steuben monument, both in the county of Oneida" (Int. No. 1441), which was read the first time and referred to the committee on ways and means.

Mr. Thorn introduced a bill entitled "An act to amend chapter 39 of the laws of 1896, entitled 'An act to provide for the election of a police justice in the town of Esopus, and in the county of Ulster, passed 1896'" (Int. No. 1442), which was read the first time and referred to the committee on internal affairs.

Also, a bill entitled "An act to amend section 103 of chapter 566 of the Laws of 1890, entitled 'An act in relation to transportation corporations excepting railroads, constituting chapter 40 of the general laws, relating to telegrams'" (Int. No. 1443), which was read the first time and referred to the committee on the judiciary.

The Senate sent for concurrence the bill (No. 905) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of William L. Mead against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Rec. No. 202), which was read the first time.

On motion of Mr. Pickett, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Pickett, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Greenwood	Meister	Schmid A F
Alds	Cotton	Guider	Meyer	Schmid F
Apgar	Coughtry	Hallock	Miles	Schoeneck
Axtell	Cowles	Harburger	Mohring	Sears
Babcock	Cross	Hatch	Murphy	Sharkey
Baker	Darrison	Hays	O'Connell	Siems
Ball	Davis	Heller	Palmer	Slater
Barrett	Dean	Hitchcock	Paris	Sloane C A
Bashford	De Graw	Hoffman	Patton	Smith J E
Baum	Delaney	Johnson	Phillips	Smith J T
Bedell	Dillon	Juengst	Pickett	Sprague
Beede	Doughty	Kane	Post	Stoneman
Boland	Evarts	Kelsey	Poth	Streifler
Brennan E C	Fallows	Kullman	Redington	Sullivan T P
Brennan J F	Fancher	Lewis M E	Riedman	Sullivan W J
Brewster	Farrell	Lewis T D	Rierdon	Ten Eyck
Brown	Finn	Litchard	Roberts	Thorn
Bryan	Fish	Mangin	Roche	Torborg
Bulkley	Fitzgerald	Martin	Rodenbeck	Trainor
Burnett	Fordyce	Mason	Rogers	Tripp
Cain	Fowler	Mazet	Sage S B	Vincent
Clark	Gale	McEwan	Sanders	Wingenfeld
Collier	Gallagher	McInerney	Sandford	Wissel
Collins	Graham	McKeown	Sands	Witter
Costello	Green	McMillan	Sawyer	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate sent for concurrence the following entitled bills:

"An act to authorize the Albany Railway Company to construct and maintain a bridge appurtenances and approaches to the same, over the Hudson river, from the foot of State street, in the city of Troy, to some point in the city of Watervliet, on the opposite side of the Hudson river" (No. 902, Rec. No. 203), which was read the first time and referred to the committee on railroads.

"An act to amend article 2, of chapter 36, of the general laws, known as the Stock Corporation Law, so as to define the liabilities of directors and officers" (No. 230, Rec. No. 204), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 23 of the Public Officers Law, relating to removals by the Governor" (No. 951, Rec. No. 206), which was read the first time and referred to the committee on the judiciary.

"An act relative to the new East river bridge, authorized to be constructed by chapter 789 of the Laws of 1895, entitled 'An act to authorize the construction of a bridge over the East river, between the cities of New York and Brooklyn'" (No. 963, Rec. No. 207), which was read the first time.

On motion of Mr. Dillon, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on commerce and navigation.

"An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (No. 261, Rec. No. 208), which was read the first time and referred to the committee on affairs of cities.

"An act authorizing the practice of medicine by certain persons" (No. 644, Rec. No. 209), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 20 of chapter 570 of the Laws of 1895, entitled 'An act for the incorporation of associations for the improvement of the breed of horses and to regulate the same; and to establish a State racing commission,' as amended by chapter 396 of the Laws of 1898, relating to collection of taxes" (No. 954, Rec. No. 210), which was read the first time and referred to the committee on ways and means.

"An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York" (No. 735, Rec. No. 211), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 33 of the Railroad Law, in regard to crossing signs, gates and flagmen, and whistleposts" (No. 967, Rec. No. 212), which was read the first time and referred to the committee on railroads.

"An act to amend section 421 of the Penal Code, in regard to ringing bells and blowing whistles on locomotives approaching grade crossings" (No. 962, Rec. No. 213), which was read the first time and referred to the committee on railroads.

"An act to amend article 5 of the Executive Law relating to the Attorney-General" (No. 405, Rec. No. 214), which was read the first time and referred to the committee on general laws.

"An act to legalize the official acts of certain justices of the peace and authorize them to execute and file official bonds, etc." (No. 732, Rec. No. 215), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 33 of the general laws known as the Agricultural Law" (No. 908, Rec. No. 216), which was read the first time and referred to the committee on agriculture.

"An act to amend chapter 941 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts relating to the charter of the village of Churchville, in the county of Monroe,' in relation to the assessment taxes" (No. 965, Rec. No. 217), which was read the first time and referred to the committee on affairs of villages.

"An act to incorporate Grenell Island Park, in the St. Lawrence river, situated in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort" (No. 966, Rec. No. 218), which was read the first time.

On motion of Mr. M. E. Lewis, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. M. E. Lewis, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 2 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	McMillan	Sawyer
Allds	Darrison	Hatch	Meister	Schmid A F
Apgar	Davis	Hays	Meyer	Schmid F
Axtell	Dean	Heller	Miles	Sears
Babcock	De Graw	Henderson	Mohring	Schoeneck
Baker	Delaney	Henry	Murphy	Sharkey
Ball	Dillon	Hill	Paris	Siems
Barrett	Doughty	Hitchcock	Patton	Slater
Bashford	Dutton	Hutton	Phillips	Sloane C A
Baum	Egan	Johnson	Pickett	Sloane J J
Bedell	Fallows	Juengst	Post	Smith J E
Beede	Fancher	Kane	Redington	Smith J T
Boland	Farrell	Kelley E E	Riedman	Snyder
Brennan E C	Fish	Kelly G T	Rierdon	Sprague
Brennan J F	Fitzgerald	Kelsey	Roberts	Stoneman
Brewster	Fordyce	Kullman	Roche	Streifler
Brown	Fowler	Lewis M E	Rodenbeck	Ten Eyck
Bryan	Gale	Lewis T D	Rogers	Thorn
Bulkley	Gardiner	Litchard	Rowe	Torborg
Burnett	Gleason	Mangin	Russell	Tripp
Cain	Gould	Martin	Sabine	Vincent
Clark	Graham	Mason	Sage H M	Ware
Costello	Green	Mazet	Sage S B	West
Cottle	Greenwood	McEwan	Sanders	Whipple
Cotton	Grossman	McInerney	Sandford	Wilson
Coughtry	Guider	McKeown	Sands	Witter
Cowles	Hallock			

Those who voted in negative, were

Finn Trainor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to legalize the agreement between the city of Utica and the Utica Belt Line Street Railroad Company" (No. 807, Rec. No. 219), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Tax Law, requiring collectors to notify non-residents of the time of receiving taxes" (No. 532, Rec. No. 220), which was read the first time and referred to the committee on the judiciary.

"An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (No. 909, Rec. No. 221), which was read the first time and referred to the committee on ways and means.

"An act to amend section 478 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' with reference to bonds given for the performance of contracts" (No. 858, Rec. No. 222), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to justices of the peace" (No. 981, Rec. No. 223), which was read the first time and referred to the committee on affairs of cities.

"An act to constitute the persons composing the local board of the borough of Queens, city of New York, as the local board of public charities in and for the borough of Queens, city of New York, and giving the mayor of said city the power to appoint an advisory board thereto" (No. 961, Rec. No. 224), which was read the first time and referred to the committee on affairs of cities.

"An act to amend an act entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' being chapter 418 of the Laws of 1897, in relation to liens" (No. 906, Rec. No. 225), which was read the first time and referred to the committee on the judiciary.

Mr. Speaker announced the special order, being the bill (No. 1469) entitled "An act to amend sections 284 and 734 of the Greater New York charter, in relation to the age qualifications of patrolmen and firemen" (Int. No. 958).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Heller	Meyer	Schmid F
Allds	Dean	Henderson	Miles	Schoeneck
Apgar	De Graw	Henry	Mohring	Sears
Axtell	Delaney	Hill	Murphy	Sharkey
Babcock	Dillon	Hitchcock	O'Connell	Siems
Baker	Doughty	Hoffman	O'Connor	Slater
Ball	Dutton	Hutton	Palmer	Sloane C A
Barrett	Egan	Johnson	Paris	Sloane J J
Bashford	Ellis	Juengst	Patton	Snyder
Baum	Evarts	Kane	Phillips	Sprague
Bedell	Fallows	Kelley E E	Redington	Stoneman
Beede	Fancher	Kelly G T	Riedman	Streifer
Boland	Farrell	Kelsey	Rierdon	Sullivan T P
Brennan E C	Finn	Kullman	Roberts	Sullivan W J
Brennan J F	Fish	Lewis M E	Roche	Ten Eyck
Brewster	Gale	Lewis T D	Rodenbeck	Thorn
Brown	Gallagher	Litchard	Rogers	Torborg
Bryan	Gardiner	Maher	Rowe	Trainor
Bulkley	Gleason	Mangin	Russell	Tripp
Burnett	Gould	Martin	Sabine	Vincent
Cain	Graham	Mason	Sage H M	Ware
Clark	Green	Mazet	Sage S B	West
Collier	Greenwood	McEwan	Sanders	Whipple
Collins	Grossman	McInerney	Sandford	Wilson
Costello	Guider	McKeown	Sands	Wingenfeld
Cottle	Hallock	McMillan	Sawyer	Wissel
Cotton	Hatch	Meister	Schmid A F	Witter
Darrison	Hays			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1066) entitled "An act relating to attendants upon the Supreme Court, and County Court, in and for the county of Monroe" (Int. No. 933), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1187) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York " (Int. No. 1018), was read the second time.

On motion of Mr. Hays, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1703) entitled "An act for the protection of creditors of a decedent " (Int. No. 1317), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1702) entitled "An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings " (Int. No. 1316), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 886) entitled "An act legalizing certain expenditures made by the board of education in the city of Yonkers prior to the first day of July, 1897 " (Int. No. 798), was read the second time.

On motion of Mr. J. J. Sloane, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1605) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in Adirondack counties " (Int. No. 1259), was read the second time.

On motion of Mr. E. E. Kelley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1606) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to powers and duties of protectors and foresters " (Int. No. 1260), was read the second time.

On motion of Mr. Pickett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1603) entitled " An act to amend section 23 of the Public Officers Law, relating to removals by the Governor " (Int. No. 1257), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1283) entitled "An act to release to Charles S. Daily all the right, title and interest of the people of the State of New York in and to certain real estate in Islip, Suffolk county, New York" (Int. No. 1070), was read the second time.

On motion of Mr. Post, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 521) entitled "An act to release the interest of the State of New York in certain real estate in the city of New York, to Julius Meier and Frederick Wachtel" (Rec. No. 95), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading.

The Senate bill (No. 574) entitled "An act to facilitate the proving of the incorporation of new corporations formed by the consolidation of two or more corporations" (Rec. No. 177), was read the second time.

On motion of Mr. Miles, said bill was placed on the order of third reading.

The Senate bill (No. 549) entitled "An act to authorize the Chautauqua Assembly to subscribe for and take stock in a corporation known as the 'Chautauqua Press'" (Rec. No. 83), was read the second time.

On motion of Mr. Stoneman, said bill was placed on the order of third reading.

The bill (No. 1100) entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office" (Int. No. 948), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1099) entitled "An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office" (Int. No. 947), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1101) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office" (Int. No. 949), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1399) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning" (Int. No. 1142), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1774) entitled "An act entitled an act to regulate the publication of the general and local laws passed by the legislature of this State, and other State printing in the county of Schuyler, New York" (Int. No. 1352), was read the second time.

On motion of Mr. C. A. Sloane, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1738) entitled "An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county" (Int. No. 1330), was read the second time.

On motion of Mr. Rowe, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1698) entitled "An act in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Flushing, Jamaica and a part of the

town of Hempstead, prior to January 1, 1898" (Int. No. 1312), was read the second time.

On motion of Mr. Gale, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1529) entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, New York, and the Rome City Street Railway Company" (Int. No. 1242), was read the second time.

On motion of Mr. Mason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1762) entitled "An act to amend chapter 360 of the laws of 1897, entitled 'An act to incorporate the city of Geneva,' relative to conduits" (Int. No. 1340), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Allds	Cowles	Guider	McKeown	Sandford
Apgar	Cross	Hallock	McMillan	Sands
Axtell	Darrison	Harburger	Meister	Sawyer
Babcock	Davis	Hatch	Meyer	Schmid A F
Baker	Dean	Hays	Miles	Schmid F
Ball	De Graw	Heller	Mohring	Schoeneck
Barrett	Delaney	Henderson	Murphy	Sears
Bashford	Dillon	Henry	O'Connell	Sharkey
Baum	Doughty	Hill	O'Connor	Siems
Bedell	Dutton	Hitchcock	Palmer	Snyder

Beede	Egan	Johnson	Paris	Sprague
Boland	Ellis	Juengst	Patton	Stoneman
Brennan E	CEvarts	Kane	Phillips	Streifler
Brennan J F	Fallows	Kelley E E	Post	Sullivan T P
Brewster	Fancher	Kelly G T	Poth	Ten Eyck
Brown	Farrell	Kelsey	Redington	Sullivan W J
Bryan	Finn	Kullman	Riedman	Thorn
Bulkley	Fish	Lewis M E	Rierdon	Torborg
Burnett	Fitzgerald	Lewis T D	Roberts	Trainor
Cain	Fordyce	Litchard	Roche	Tripp
Clark	Fowler	Maher	Rowe	Vincent
Collier	Gleason	Mangin	Russell	Ware
Collins	Gould	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Whipple
Cottle	Green	Mazet	Sage S B	Wissel
Cotton	Greenwood	McEwan	Sanders	Witter
Coughtry	Grossman	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1573) entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (Int. No. 1250), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 720) entitled "An act to divide the county of Cattaraugus into three school commissioner districts" (Rec. No. 157), was read the second time.

On motion of Mr. Stoneman, said bill was placed on the order of third reading.

The Senate bill (No. 669) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relating to the powers of the common council" (Rec. No. 156), was read the second time.

On motion of Mr. Stoneman, said bill was placed on the order of third reading.

The Senate bill (No. 893) entitled "An act to revise the charter of the city of Gloversville" (Rec. No. 176), was read the second time.

On motion of Mr. Hays said bill was placed on the order of third reading.

The bill (No. 1368) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claim arising on account of the canals of this State" (Int. No. 1111), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1816) entitled "An act to amend the Village Law, in relation to sales for the non-payment of taxes" (Int. No. 894), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1556) entitled "An act making an appropriation for the State Custodial Asylum for Feeble-Minded Women at Newark, N. Y." (Int. No. 1225), was read the second time.

On motion of Mr. Greenwood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1392) entitled "An act to provide for the improvement, care and protection of lands known as the 'Stony Point Peninsula,' the title to which has been acquired in the name of the people of the State and making an appropriation therefor" (Int. No. 1135), was read the second time.

On the motion of Mr. Davis, said bill was placed on the order of third reading.

On motion of Mr. Davis, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Allds	Cross	Harburger	Meister	Sands
Apgar	Darrison	Hays	Meyer	Sawyer
Axtell	Davis	Henry	Miles	Schmid A F
Babcock	Dean	Hill	Mohring	Schmid F
Baker	De Graw	Hitchcock	Murphy	Schoeneck
Ball	Delaney	Hoffman	O'Connell	Sears
Barrett	Doughty	Hutton	O'Connor	Sharkey
Bashford	Dutton	Johnson	Palmer	Siems
Baum	Egan	Juengst	Paris	Slater
Bedell	Ellis	Kane	Patton	Sloane C A
Beede	Evarts	Kelley E E	Phillips	Sloane J J
Boland	Fallows	Kelly G T	Poth	Smith J E
Brennan E O	Fancher	Kelsey	Redington	Smith J T
Brennan J F	Farrell	Kullman	Reidman	Streifler
Brewster	Finn	Lewis M E	Rierdon	Sullivan T P
Brown	Fish	Lewis T D	Roberts	Sullivan W J
Bryan	Fitzgerald	Litchard	Roche	Ten Eyck
Bulkley	Fordyce	Maher	Rodenbeck	Thorn
Burnett	Fowler	Mangin	Rowe	Torborg
Collier	Gale	Martin	Russell	Trainor
Collins	Graham	Mason	Sabine	Tripp
Costello	Green	Mazet	Sage H M	Vincent
Cottle	Greenwood	McEwan	Sage S B	Ware
Cotton	Grossman	McInerney	Sanders	Wissel
Coughtry	Guider	McKeown	Sandford	Witter
Cowles	Hallock	McMillan		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 803) entitled "An act to reappropriate money for the completion of the State armory in the village of Malone, and making an additional appropriation therefor" (Int. No. 738), was read the second time.

On motion of Mr. Sears, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 79) entitled "An act providing for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, Oneida county, New York, and making an appropriation therefor" (Int. No. 79), was read the second time.

On motion of Mr. Martin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 850) entitled "An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State" (Int. No. 766), was read the second time.

On motion of Mr. Johnson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1791) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture" (Int. No. 1372), was read the second time.

On motion of Mr. Cowles, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1427) entitled "An act to amend the Agricultural Law, relating to the manufacture and use of coloring matter in food products" (Int. No. 1160), was read the second time.

On motion of Mr. Babcock, said bill was placed on the order of third reading.

On motion of Mr. Babcock, said bill was recommitted to the committee on agriculture, retaining its place on the order of third reading.

The bill (No. 1800) entitled "An act to exempt from State, county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital'" (Int. No. 1367), having been announced for a second reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1316) entitled "An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation" (Int. No. 126), having been announced for a second reading,

On motion of Mr. McKeown, and by unanimous consent, said bill

was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation" (Int. No. 356), having been announced for a second reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 761) entitled "An act to repeal chapter 433 of the Laws of 1881, entitled 'An act to exempt from all State or local taxation vessels registered in any port in the State of New York, owned by American citizens or corporations organized under the Laws of the State of New York, and engaged in ocean commerce between any port in the United States and any foreign port, and to exempt for a limited period the capital stock, franchise and earnings of such corporation from taxation for State and local purposes'" (Int. No. 699), having been announced for a second reading,

On motion of Mr. Farrell, said bill was recommitted to the committee on taxation and retrenchment, retaining its place on the order of second reading.

The bill (No. 484) entitled "An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the City of New York (The German Polyclinic of the City of New York) from taxation'" (Int. No. 464), having been announced for a second reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 816) entitled "An act to amend chapter 628 of the Laws of 1898, entitled 'An act to provide for the construction of a bridge and the approaches thereto, and for the extension and repair of the old abutments, in the village of Seneca Falls, in the county of Seneca, and making an appropriation therefor'" (Rec. No. 201), was read the second time.

On motion of Mr. Gould, said bill was placed on the order of third reading.

On motion of Mr. Gould, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Allds	Cowles	Guider	McMillan	Schmid A F
Apgar	Cross	Hallock	Meister	Schmid F
Axtell	Darrison	Harburger	Meyer	Schoeneck
Babcock	Davis	Hatch	Miles	Siems
Baker	Dean	Hays	Mohring	Slater
Ball	De Graw	Heller	Murphy	Sloane C A
Barrett	Delaney	Henderson	O'Connell	Sloane J J
Bashford	Dillon	Henry	O'Connor	Smith J E
Baum	Doughty	Hill	Palmer	Smith J T
Bedell	Dutton	Hitchcock	Paris	Snyder
Beede	Egan	Hoffman	Patton	Sprague
Boland	Ellis	Hutton	Post	Stoneman
Brennan E C	Evarts	Johnson	Poth	Streiffer
Brennan J F	Fallows	Juengst	Redington	Sullivan T P
Brewster	Fancher	Kelsey	Riedman	Sullivan W J
Brown	Farrell	Kullman	Rierdon	Ten Eyck
Bryan	Finn	Lewis M E	Roberts	Thorn
Bulkley	Gale	Lewis T D	Rodenbeck	Torborg
Burnett	Gallagher	Litchard	Sabine	Vincent
Cain	Gardiner	Martin	Sage H M	Ware
Clark	Gleason	Mason	Sage S B	West
Collier	Graham	Mazet	Sanders	Whipple
Collins	Green	McEwan	Sandford	Wilson
Costello	Greenwood	McInerney	Sands	Wissel
Cottle	Grossman	McKeown	Sawyer	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 661) entitled "An act making an appropriation for expenses incurred in the Department of Public Buildings and for the maintenance of such department until September 30, 1899" (Rec. No. 103), having been announced for a second reading,

On motion of Mr. Trainor, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 448) entitled "An act to provide for the removal of the State Industrial School and making an appropriation therefor" (Rec. No. 119), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading.

On motion of Mr. Gardiner, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	Mason	Sanders
Allds	Coughtry	Greenwood	Mazet	Sandford
Apgar	Darrison	Grossman	McEwan	Sands
Axtell	Davis	Guider	McInerney	Sawyer
Babcock	Dean	Hallock	McKeown	Schmid A F
Baker	De Graw	Heller	McMillan	Schmid F
Ball	Delaney	Henderson	Meister	Schoeneck
Barrett	Dillon	Henry	Miles	Sears
Bashford	Doughty	Hill	Mohring	Sharkey
Baum	Dutton	Hitchcock	Murphy	Slater
Bedell	Egan	Hoffman	O'Connell	Sloane C A
Beede	Ellis	Hutton	Paris	Sloane J J
Boland	Evarts	Johnson	Patton	Snyder
Brennan E C	Fallows	Juengst	Phillips	Stoneman
Brennan J F	Fancher	Kane	Pickett	Streifler
Brewster	Farrell	Kelley E E	Post	Sullivan T P

Brown	Finn	Kelly G T	Poth	Sullivan W J
Bryan	Fish	Kelsey	Redington	Ten Eyck
Bulkley	Fitzgerald	Kullman	Riedman	Thorn
Barrett	Fordyce	Lewis T D	Rierdon	Torborg
Cain	Fowler	Lewis T D	Roberts	Trainor
Clark	Gale	Litchard	Roche	Tripp
Collier	Gallagher	Maher	Rodenbeck	Vincent
Collins	Gleason	Mangin	Sage H M	Ware
Costello	Gould	Martin	Sag: S B	West
Cottle	Graham			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 845) entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto" (Rec. No. 158), having been announced for a second reading,

On motion of Mr. Finn, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 291) entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of New Rochelle, in the county of Westchester'" (Rec. No. 172), having been announced for a second reading,

On motion of Mr. Dillon, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 116) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (Rec. No. 163), having been announced for a second reading,

On motion of Mr. Axtell, and by unanimous consent, said bill

was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 873) entitled "An act to amend that portion of chapter 607 of the Laws of 1898, making certain appropriations for the New York State Soldiers' and Sailors' Home; to extend the time for letting the contracts by the board of trustees of said home; for the completion of the work of constructing and equipping new buildings provided for in said chapter, and authorizing the board of trustees to use a portion of any balance unexpended of the appropriation made by said chapter, for the purpose of ordinary repairs" (Rec. No. 193), was read the second time.

On motion of Mr. Sherwood, said bill was placed on the order of third reading.

The bill (No. 451) entitled "An act to repeal section 1226 of chapter 378, entitled 'An act to unite into one municipality under the corporate name of The City of New York the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and anti-toxine" (Int. No. 431), having been announced for a third reading,

On motion of Mr. M. E. Lewis, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

The bill (No. 1666) entitled "An act conferring jurisdiction upon the Court of Claims to hear, audit and determine the claim of John Culleton against the State of New York" (Int. No. 917), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Miles	Schmid F
Allds	Cross	Grossman	Mohring	Schoeneck
Apgar	Darrison	Guider	Murphy	Sears
Axtell	Davis	Hallock	O'Connor	Sharkey
Babcock	Dean	Harburger	O'Connell	Siems
Baker	De Graw	Hatch	Palmer	Sloane C A
Ball	Delaney	Hays	Paris	Sloane J J
Barrett	Dillon	Henderson	Patton	Smith J E
Bashford	Doughty	Hill	Phillips	Smith J T
Laum	Dutton	Hitchcock	Pickett	Snyder
Bedell	Egan	Hutton	Post	Sprague
Beede	Ellis	Johnson	Poth	Stoneman
Boland	Evarts	Kane	Redington	Streifler
Brennan E C	Fallows	Kelley E E	Riedman	Sullivan W J
Brennan J F	Fancher	Kelsey	Rierdon	Sullivan T P
Brewster	Farrell	Kullman	Roberts	Ten Eyck
Brown	Finn	Lewis M E	Roche	Thorn
Bryan	Fish	Lewis T D	Rodenbeck	Torborg
Bulkley	Fitzgerald	Litchard	Rowe	Trainor
Burnett	Fordyce	Mangin	Russell	Tripp
Cain	Fowler	Martin	Sabine	Vincent
Clark	Gale	Mason	Sage H M	Ware
Collier	Gallagher	McEwan	Sage S B	West
Collins	Gardiner	McInerney	Sanders	Whipple
Costello	Gleason	McKeown	Sandford	Wilson
Oottle	Gould	McMillan	Sands	Wingenfeld
Cotton	Graham	Meister	Sawyer	Witter
Coughtry	Green	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1647) entitled "An act to provide for a hearing of the claims of J. W. Van Slyke and others, for work done and services performed for the State, under the provisions of chapter 577 of the Laws of 1864" (Int. No. 1028), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ **▲ YES** 131 }
{ **NOES** 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Mohring	Schmid ▲ F
Allds	Cross	Harburger	Murphy	Schmid F
Apgar	Darrison	Hatch	O'Connell	Schoeneck
Axtell	Davis	Hays	O'Connor	Sears
Babcock	Dean	Henderson	Palmer	Siems
Baker	De Graw	Henry	Paris	Slater
Ball	Delaney	Hitchcock	Patton	Sloane C A
Barrett	Dillon	Hoffman	Phillips	Sloane J J
Bashford	Doughty	Hutton	Pickett	Smith J E
Baum	Dutton	Juengst	Post	Snyder
Bedell	Ellis	Kane	Poth	Sprague
Beede	Evarts	Kelley E E	Redington	Stoneman
Boland	Fancher	Kelsey	Riedman	Streifler
Brennan E C	Farrell	Kullman	Rierdon	Sullivan T P
Brennan J F	Finn	Lewis M E	Roberts	Sullivan W J
Brewster	Fish	Lewis T D	Roche	Ten Eyck
Brown	Fitzgerald	Mangin	Rodenbeck	Torborg
Bryan	Fordyce	Martin	Rogers	Trainor
Bulkley	Fowler	Mason	Rowe	Tripp
Burnett	Gale	Mazet	Russell	Vincent
Cain	Gallagher	McEwan	Sabine	Ware
Collier	Gleason	McInerney	Sage H M	West
Collins	Gould	McKeown	Sage S B	Wilson
Costello	Graham	McMillan	Sanders	Wingenfeld
Cottle	Greenwood	Meyer	Sandford	Wissel
Cotton	Grossman	Miles	Sawyer	Witter
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1662) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through South St. Paul street in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby" (Int. No. 1159), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	Meister	Schmid A F
Allds	Cross	Hatch	Meyer	Schmid F
Apgar	Darrison	Hays	Mohring	Schoeneck
Axtell	Davis	Heller	Murphy	Sears
Babcock	Dean	Henderson	O'Connell	Sharkey
Baker	De Graw	Henry	O'Connor	Siems
Ball	Delaney	Hill	Palmer	Slater
Barrett	Doughty	Hitchcock	Paris	Sloane C A
Bashford	Dutton	Hoffman	Patton	Sloane J J
Baum	Ellis	Hutton	Phillips	Smith J E
Bedell	Evarts	Johnson	Pickett	Smith J T
Beede	Fallows	Kane	Poth	Sprague
Boland	Farrell	Kelley E E	Redington	Stoneman
Brennan E C	Finn	Kelly G T	Riedman	Streifer
Brennan J F	Fish	Kelsey	Rierdon	Sullivan T P
Brewster	Fitzgerald	Kullman	Roberts	Sullivan W J
Brown	Fordyce	Lewis M E	Roche	Ten Eyck
Bryan	Fowler	Lewis T D	Rodenbeck	Thorn
Bulkley	Gale	Litchard	Rogers	Trainor
Cain	Gardiner	Mangin	Rowe	Tripp
Clark	Gleason	Martin	Russell	Ware
Collier	Gould	Mason	Sabine	West
Collins	Graham	Mazet	Sage H M	Whipple
Costello	Green	McEwan	Sanders	Wilson
Cottle	Greenwood	McInerney	Sandford	Wingenfeld
Cotton	Grossman	McKeown	Sands	Wissel
Coughtry	Guider	McMillan	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1664) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against John J. Enright, a fireman of the first grade, for reinstatement in said department" (Int. No. 1214), was read the third time, having been printed and upon the desks of the mem-

bers in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meister	Sawyer
Allds	Darrison	Harburger	Meyer	Schmid A F
Apgar	Davis	Hatch	Miles	Schmid F
Axtell	Dean	Hays	Mohring	Sears
Babcock	De Graw	Heller	Murphy	Sharkey
Baker	Delaney	Henderson	O'Connell	Slater
Ball	Dillon	Henry	O'Connor	Sloane C A
Barrett	Doughty	Hill	Paris	Sloane J J
Bashford	Egan	Hitchcock	Patton	Smith J E
Baum	Ellis	Hoffman	Phillips	Smith J T
Bedell	Evarts	Hutton	Pickett	Snyder
Beede	Fallows	Johnson	Poth	Sprague
Boland	Fancher	Juengst	Redington	Stoneman
Brennan E C	Farrell	Kane	Riedman	Streifler
Brewster	Finn	Kelley E E	Rierdon	Sullivan T P
Brown	Fish	Kelsey	Roberts	Sullivan W J
Bryan	Fordyce	Kullman	Roche	Thorn
Bulkley	Fowler	Lewis M E	Rodenbeck	Torborg
Burnett	Gale	Lewis T D	Rogers	Trainor
Cain	Gallagher	Litchard	Rowe	Vincent
Clark	Gardiner	Mangin	Russell	Ware
Collier	Gleason	Martin	Sabine	West
Costello	Gould	Mason	Sage H M	Whipple
Cottle	Graham	Mazet	Sage S B	Wilson
Cotton	Greenwood	McEwan	Sandford	Wissel
Coughtry	Grossman	McInerney	Sands	Witter
Cowles	Guider	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1660) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Court street in the city of Rochester,

from South St. Paul street to Clinton street, upon the property benefited thereby" (Int. No. 1156), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 134 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McMillan	Sands
Allds	Cross	Harburger	Meister	Sawyer
Apgar	Darrison	Hatch	Meyer	Schmid F
Axtell	Davis	Heller	Miles	Schoeneck
Babcock	Dean	Henderson	Mohring	Sears
Baker	De Graw	Henry	O'Connell	Sharkey
Ball	Delaney	Hill	O'Connor	Siems
Barrett	Dillon	Hitchcock	Palmer	Sloane C A
Bashford	Doughty	Hoffman	Paris	Sloane J J
Baum	Dutton	Hutton	Patton	Smith J E
Bedell	Egan	Johnson	Phillips	Snyder
Beede	Evarts	Juengst	Pickett	Stoneman
Boland	Fancher	Kane	Poth	Streifler
Brennan E C	Farrell	Kelley E E	Redington	Sullivan W J
Brewster	Fish	Kelly G T	Riedman	Sullivan T P
Brown	Fitzgerald	Kelsey	Rierdon	Thorn
Bryan	Fordyce	Kullman	Roberts	Torborg
Bulkley	Fowler	Lewis M E	Roche	Trainor
Burnett	Gallagher	Lewis T D	Rodenbeck	Tripp
Cain	Gardiner	Litchard	Rogers	Vincent
Clark	Gleason	Mangin	Rowe	Ware
Collier	Gould	Martin	Russell	West
Collins	Graham	Mason	Sabine	Wilson
Costello	Green	Mazet	Sage H M	Wingenfeld
Cottle	Greenwood	McEwan	Sage S B	Wissel
Cotton	Grossman	McInerney	Sanders	Witter
Coughtry	Guider	McKeown	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1655) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue in the city of Rochester, upon property benefited thereby" (Int. No. 1147), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	McInerney	Sawyer
Allds	Coughtry	Greenwood	McKeown	Schmid A F
Apgar	Cowles	Grossman	McMillan	Schmid F
Axtell	Cross	Guider	Meyer	Schoeneck
Babcock	Darrison	Hallock	Miles	Sharkey
Baker	Davis	Harburger	Mohring	Siems
Ball	Dean	Hays	Murphy	Slater
Barrett	De Graw	Henderson	O'Connell	Sloane C A
Bashford	Delaney	Henry	Palmer	Sloane J J
Baum	Dillon	Hill	Paris	Smith J E
Bedell	Doughty	Hitchcock	Patton	Smith J T
Beede	Dutton	Hoffman	Pickett	Snyder
Boland	Egan	Hutton	Poth	Stoneman
Brennan E	CEllis	Juengst	Redington	Streifler
Brennan J F	Evarts	Kane	Riedman	Sullivan W J
Brewster	Fallows	Kelley E E	Rierdon	Ten Eyck
Brown	Fancher	Kelly G T	Roche	Thorn
Bryan	Farrell	Kelsey	Rodenbeck	Torborg
Bulkley	Finn	Kullman	Rogers	Trainor
Burnett	Fish	Lewis M E	Rowe	Tripp
Cain	Fitzgerald	Lewis T D	Sabine	Vincent
Clark	Fordyce	Litchard	Sage H M	Ware
Collier	Fowler	Mangin	Sage S B	Whipple
Collins	Gale	Martin	Sanders	Wilson
Costello	Gardiner	Mason	Sandford	Wissel
Cottle	Gleason	Mazet	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1653) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby" (Int. No. 1144), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darri ^{son}	Hatch	Meyer	Schmid A F
Allds	Dean	Hays	Miles	Schmid F
Apgar	De Graw	Heller	Mohring	Schoeneck
Axtell	Dillon	Henderson	Murphy	Sears
Babcock	Doughty	Henry	O'Connell	Sharkey
Baker	Egan	Hill	O'Connor	Siems
Ball	Ellis	Hitchcock	Palmer	Slater
Barrett	Evarts	Hoffman	Paris	Sloane C A
Bashford	Fallows	Hutton	Phillips	Smith J E
Baum	Farrell	Johnson	Post	Smith J T
Bedell	Finn	Juengst	Poth	Snyder
Beede	Fish	Kane	Redington	Sprague
Boland	Fordyce	Kelley E E	Riedman	Stoneman
Brennan E C	Fowler	Kelly G T	Rierdon	Streifler
Brennan J F	Gale	Kelsey	Roberts	Sullivan T P
Brown	Gallagher	Kullman	Roche	Ten Eyck
Bryan	Gardiner	Lewis M E	Rodenbeck	Thorn
Bulkley	Gleason	Lewis T D	Rogers	Torborg
Cain	Gould	Litchard	Rowe	Trainor
Clark	Graham	Mangin	Russell	Tripp
Collier	Green	Martin	Sabine	Vincent
Collins	Greenwood	Mason	Sage H M	West
Cottle	Grossman	McEwan	Sanders	Whipple
Cotton	Guider	McKeown	Sandford	Wilson
Coughtry	Hallock	McMillan	Sands	Wingenfeld
Cowles	Harburger	Meister	Sawyer	Wissel
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1657) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from Main street to the Erie canal, on the property benefited thereby" (Int. No. 1149), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	McInerney	Sands
Allds	Coughtry	Graham	McKeown	Sawyer
Apgar	Cowles	Green	McMillan	Schmid F
Axtell	Cross	Grossman	Meister	Schoeneck
Babcock	Darrison	Guider	Meyer	Sears
Baker	Davis	Hallock	Miles	Siems
Ball	Dean	Harburger	Mohring	Slater
Barrett	De Graw	Hays	Murphy	Sloane J J
Bashford	Delaney	Heller	O'Connell	Smith J E
Baum	Dillon	Henderson	O'Connor	Smith J T
Bedell	Doughty	Hill	Palmer	Snyder
Béede	Dutton	Hitchcock	Paris	Stoneman
Boland	Egan	Hoffman	Patton	Streifler
Brennan E C	Ellis	Johnson	Phillips	Sullivan T P
Brennan J F	Evarts	Kane	Pickett	Sullivan W J
Brewster	Fallows	Kelley E E	Post	Ten Eyck
Brown	Fancher	Kelly G T	Redington	Thorn
Bryan	Farrell	Kelsey	Riedman	Torborg
Bulkley	Finn	Kullman	Rierdon	Tripp
Burnett	Fish	Lewis M E	Roche	Vincent
Cain	Fitzgerald	Lewis T D	Rodenbeck	Ware
Clark	Fordyce	Mangin	Rowe	West
Collier	Fowler	Martin	Russell	Wilson
Collins	Gale	Mason	Sage H M	Wingenfeld
Costello	Gallagher	Mazet	Sanders	Wissel
Cottle	Gardiner	McEwan	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1659) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Mount Hope avenue in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby" (Int. No. 1155), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meister	Schmid F
Allds	Cowles	Guider	Meyer	Schoeneck
Apgar	Cross	Hallock	Miles	Sears
Axtell	Darrison	Harburger	Mohring	Sharkey
Babcock	Davis	Hays	Murphy	Siems
Baker	Dean	Heller	O'Connor	Slater
Ball	De Graw	Henderson	Palmer	Sloane J J
Barrett	Delaney	Hill	Paris	Smith J E
Bashford	Doughty	Hitchcock	Patton	Smith J T
Baum	Dutton	Hoffman	Phillips	Snyder
Bedell	Ellis	Hutton	Pickett	Sprague
Beede	Evarts	Johnson	Poth	Stoneman
Boland	Fallows	Kane	Redington	Streifler
Brennan E C	Fancher	Kelley E E	Riedman	Sullivan T P
Brennan J F	Finn	Kelsey	Rierdon	Ten Eyck
Brewster	Fish	Kullman	Roberts	Thorn
Brown	Fitzgerald	Lewis M E	Roche	Torborg
Bryan	Fordyce	Lewis T D	Rodenbeck	Trainor
Bulkley	Fowler	Litchard	Rogers	Tripp
Burnett	Gale	Mangin	Rowe	Vincent
Cain	Gallagher	Martin	Russell	Ware
Clark	Gardiner	Mason	Sabine	Whipple
Collier	Gleason	Mazet	Sage H M	Wilson

Collins	Gould	McEwan	Sage S B	Wingenfeld
Costello	Graham	McInerney	Sandford	Wissel
Cottle	Green	McKeown	Sands	Witter
Cotton	Greenwood	McMillan	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1658) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to the Erie canal, upon the property benefited thereby" (Int. No. 1150), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McMillan	Sands
Allds	Cross	Guider	Meister	Sawyer
Apgar	Darrison	Hallock	Meyer	Schmid A F
Axtell	Davis	Harburger	Miles	Schmid F
Babcock	De Graw	Hatch	Mohring	Schoeneck
Baker	Delaney	Hays	Murphy	Sears
Ball	Dillon	Heller	O'Connell	Sharkey
Barrett	Doughty	Henderson	O'Connor	Siems
Bashford	Dutton	Hill	Palmer	Slater
Baum	Egan	Hitchcock	Paris	Sloane C A
Bedell	Ellis	Hoffman	Patton	Sloane J J
Beede	Evarts	Johnson	Phillips	Smith J T
Boland	Fallows	Juengst	Pickett	Snyder
Brennan E O	Fancher	Kelley E E	Post	Sprague
Brennan J F	Farrell	Kelly G T	Poth	Streifler
Brewster	Finn	Kelsey	Redington	Sullivan W J
Brown	Fish	Kullman	Riedman	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Rierdon	Torborg
Bulkley	Fordyce	Lewis T D	Roberts	Trainor

Burnett	Fowler	Litchard	Roche	Tripp
Cain	Gale	Mangin	Rogers	Ware
Clark	Gallagher	Martin	Rowe	West
Collier	Gardiner	Mason	Russell	Whipple
Collins	Gleason	Mazet	Sage H M	Wilson
Costello	Gould	McEwan	Sage S B	Wingenfeld
Cottle	Graham	McInerney	Sanders	Wissel
Cotton	Green	McKeown	Sandford	Witter
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1656) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby" (Int. No. 1148), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	Miles	Schmid A F
Allds	Cross	Hatch	Mohring	Schmid F
Apgar	Darrison	Heller	Murphy	Schoeneck
Axtell	Davis	Henderson	O'Connor	Sears
Babcock	De Graw	Henry	O'Connell	Siems
Baker	Delaney	Hitchcock	Palmer	Slater
Ball	Dillon	Hoffman	Paris	Sloane C A
Barrett	Doughty	Hutton	Patton	Sloane J J
Bashford	Egan	Johnson	Phillips	Smith J E
Baum	Ellis	Juengst	Post	Smith J T
Bedell	Evarts	Kane	Poth	Snyder
Beede	Fallows	Kelley E E	Redington	Sprague
Boland	Farrell	Kelsey	Riedman	Streifler
Brennan E C	Finn	Kullman	Rierdon	Sullivan T P
Brennan J F	Fish	Lewis M E	Roberts	Ten Eyck
Brewster	Fitzgerald	Lewis T D	Roche	Thorn

Brown	Fordyce	Litchard	Rodenbeck	Torborg
Bryan	Fowler	Mangin	Rogers	Trainor
Bulkley	Gale	Martin	Rowe	Tripp
Burnett	Gallagher	Mason	Russell	Vincent
Cain	Gardiner	Mazet	Sabine	Ware
Clark	Gleason	McEwan	Sage H M	West
Collier	Gould	McInerney	Sage S B	Whipple
Collins	Graham	McKeown	Sanders	Wilson
Costello	Green	McMillan	Sandford	Wingenfeld
Cottle	Grossman	Meister	Sands	Wissel
Cotton	Guider	Meyer	Sawyer	Witter
Coughtry	Hallock			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1661) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavemen in, through and upon South St. Paul street in the city of Rochester, from East Main street to Court street, upon the property benefited thereby" (Int. No. 1157), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	McInerney	Sage S B
Allds	Cross	Greenwood	McKeown	Sanders
Apgar	Darrison	Grossman	McMillan	Sandford
Axtell	Davis	Guider	Meister	Sands
Babcock	Dean	Hallock	Miles	Sawyer
Baker	De Graw	Harburger	Mohring	Schmid A F
Ball	Delaney	Hatch	Murphy	Schmid F
Barrett	Dillon	Hays	O'Connell	Sharkey
Bashford	Doughty	Heller	O'Connor	Siems
Baum	Dutton	Henderson	Palmer	Slater
Bedell	Egan	Henry	Paris	Sloane C A

Beede	Ellis	Hill	Patton	Sloane J J
Boland	Evarts	Hoffman	Phillips	Smith J E
Brennan E O	Fallows	Hutton	Pickett	Smith J T
Brennan J F	Fancher	Johnson	Post	Sprague
Brewster	Farrell	Kelley E E	Poth	Stoneman
Brown	Finn	Kelly G T	Redington	Streifler
Bryan	Fish	Kelsey	Riedman	Sullivan T P
Bulkley	Fitzgerald	Kullman	Rierdon	Ten Eyck
Burnett	Fordyce	Lewis M E	Roberts	Thorn
Cain	Fowler	Lewis T D	Roche	Trainor
Clark	Gale	Litchard	Rodenbeck	Tripp
Collier	Gallagher	Mangin	Rogers	Ware
Collins	Gardiner	Martin	Rowe	West
Costello	Gleason	Mason	Russell	Wilson
Cottle	Gould	Mazet	Sabine	Wingenfeld
Cotton	Graham	McEwan	Sage H M	Wissel
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1663) entitled " An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement, in said department " (Int. No. 1161), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Meyer	Schmid A F
Allds	Cross	Hatch	Miles	Schmid F
Apgar	Darrison	Hays	Mohring	Schoeneck
Axtell	Davis	Heller	Murphy	Sears
Babcock	Dean	Henderson	O'Connell	Sharkey
Baker	Delaney	Hill	O'Connor	Siems
Ball	Dillon	Hitchcock	Palmer	Slater
Barrett	Doughty	Hoffman	Paris	Sloane J J

Bashford	Egan	Hutton	Patton	Smith J E
Baum	Ellis	Johnson	Phillips	Smith J T
Bedell	Evarts	Kane	Pickett	Snyder
Beede	Fallows	Kelley E E	Post	Sprague
Boland	Fancher	Kelly G T	Redington	Stoneman
Brennan E C	Farrell	Kelsey	Rierdon	Streifler
Brennan J F	Finn	Kullman	Roberts	Sullivan T P
Brewster	Fish	Lewis M E	Roche	Ten Eyck
Brown	Fitzgerald	Lewis T D	Rodenbeck	Thorn
Bryan	Fordyce	Litchard	Rogers	Torborg
Bulkley	Fowler	Mangin	Rowe	Trainor
Burnett	Gale	Martin	Russell	Tripp
Cain	Gallagher	Mason	Sabine	Ware
Clark	Gardiner	Mazet	Sage H M	West
Collier	Gleason	McEwan	Sage S B	Whipple
Collins	Gould	McInerney	Sanders	Wilson
Costello	Graham	McKeown	Sandford	Wingenfeld
Cottle	Green	McMillan	Sands	Wissel
Cotton	Grossman	Meister	Sawyer	Witter
Coughtry	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1724) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Henry S. Dermott, as sole surviving executor of the last will and testament of Stephen C. Dermott, deceased, against the State for damages alleged to have been sustained by the said Stephen C. Dermott, deceased, and to render judgment therefor" (Int. No. 1023), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McMillan	Sawyer
Allds	Davis	Harburger	Meister	Schmid A F
Appar	Dean	Hatch	Meyer	Schmid F

Axtell	De Graw	Hays	Miles	Schoeneck
Babcock	Delaney	Heller	Murphy	Sears
Baker	Dillon	Henderson	O'Connell	Sharkey
Ball	Doughty	Henry	O'Connor	Siems
Barrett	Dutton	Hill	Paris	Sloane C A
Bashford	Egan	Hitchcock	Patton	Sloane J J
Baum	Ellis	Hoffman	Phillips	Smith J T
Beede	Evarts	Hutton	Pickett	Snyder
Boland	Fallows	Johnson	Post	Sprague
Brennan E C	Fancher	Juengst	Poth	Stoneman
Brennan J F	Farrell	Kane	Redington	Streifler
Brown	Finn	Kelley E E	Riedman	Sullivan T P
Bryan	Fish	Kelsey	Rierdon	Sullivan W J
Bulkley	Fitzgerald	Kullman	Roberts	Ten Eyck
Burnett	Fordyce	Lewis M E	Roche	Thorn
Clark	Fowler	Lewis T D	Rogers	Torborg
Collier	Gallagher	Litchard	Rowe	Trainor
Collins	Gardiner	Mangin	Russell	Tripp
Costello	Gould	Martin	Sabine	Vincent
Cottle	Graham	Mason	Sage H M	West
Cotton	Green	Mazet	Sage S B	Whipple
Coughtry	Greenwood	McEwan	Sanders	Wilson
Cowles	Grossman	McInerney	Sandford	Wingenfeld
Cross	Guider	McKeown	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate, and quest their concurrence therein.

The bill (No. 1733) entitled "An act to amend the Code of Civil Procedure, in relation to the suspension or removal of attorneys" (Int. No. 1197), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	McKeown	Sands
Allds	Davis	Hallock	McMillan	Schmid A F
Apgar	Dean	Harburger	Meister	Schmid F
Axtell	De Graw	Hatch	Meyer	Schoeneck

Babcock	Delaney	Hays	Miles	Sears
Baker	Dillon	Heller	Mohring	Sharkey
Ball	Doughty	Henderson	Murphy	Siems
Barrett	Dutton	Henry	O'Connell	Sloane C A
Bashford	Egan	Hill	O'Connor	Smith J E
Bedell	Ellis	Hoffman	Palmer	Smith J T
Beede	Evarts	Hutton	Paris	Snyder
Brennan E C	Fallows	Johnson	Patton	Sprague
Brennan J F	Fancher	Juengst	Phillips	Stoneman
Brewster	Farrell	Kane	Post	Streifler
Brown	Finn	Kelley E E	Poth	Sullivan T P
Bryan	Fish	Kelly G T	Redington	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Riedman	Thorn
Burnett	Fordyce	Kullman	Rierdon	Torborg
Cain	Fowler	Lewis M E	Roberts	Tripp
Clark	Gale	Lewis T D	Roche	Vincent
Collier	Gallagher	Litchard	Rodenbeck	Ware
Collins	Gardiner	Mangin	Rowe	West
Costello	Gleason	Martin	Russell	Whipple
Cottle	Gould	Mason	Sage H M	Wilson
Coughtry	Graham	Mazet	Sage S B	Wingenfeld
Cowles	Green	McEwan	Sanders	Wissel
Cross	Greenwood	McInerney	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1758) entitled "An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid" (Int. No. 1305), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 135 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McKeown	Sandford
Allds	Cross	Harburger	McMillan	Sawyer
Appgar	Davis	Hatch	Meister	Schmid A F

Axtell	Dean	Hays	Meyer	Schmid F
Babcock	De Graw	Heller	Miles	Schoeneck
Baker	Delaney	Henderson	Mohring	Sharkey
Ball	Dillon	Henry	Murphy	Siems
Barrett	Doughty	Hill	O'Connell	Sloane C A
Bashford	Dutton	Hitchcock	O'Connor	Sloane J J
Baum	Egan	Hoffman	Palmer	Smith J E
Bedell	Ellis	Hutton	Paris	Snyder
Beede	Evarts	Johnson	Patton	Sprague
Boland	Fallows	Juengst	Phillips	Streifler
Brennan E C	Fancher	Kane	Pickett	Sullivan T P
Brennan J F	Farrell	Kelley E E	Post	Sullivan W J
Brewster	Fish	Kelly G T	Redington	Ten Eyck
Brown	Fitzgerald	Kelsey	Riedman	Thorn
Bryan	Fordyce	Kullman	Rierdon	Torborg
Bulkley	Fowler	Lewis M E	Roberts	Trainor
Burnett	Gale	Lewis T D	Roche	Tripp
Cain	Gallagher	Litchard	Rodenbeck	Vincent
Clark	Gleason	Mangin	Rogers	Ware
Collier	Gould	Martin	Rowe	Whipple
Collins	Graham	Mason	Russell	Wilson
Costello	Green	Mazet	Sabine	Wingenfeld
Cottle	Greenwood	McEwan	Sage S B	Wissel
Cotton	Grossman	McInerney	Sanders	Witter
Coughtry	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1649) entitled "An act to provide for the appointment of sidepath commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and to regulate their use on such sidepaths and to provide revenue therefor" (Int. No. 1084) having been announced for a third reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1643) entitled "An act to amend section 2461 of the Code of Civil Procedure, relating to supplementary proceedings upon judgment against joint debtors when all defendants were not summoned" (Int. No. 532), was read the third time, having been printed and upon the desks of the members in its

final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Schmid A F
Allds	Cross	Harburger	Meyer	Schmid F
Apgar	Darrison	Hatch	Miles	Schoeneck
Axtell	Davis	Hays	Mohring	Sears
Babcock	Dean	Heller	Murphy	Sharkey
Baker	De Graw	Henderson	O'Connell	Siems
Ball	Delaney	Henry	O'Connor	Slater
Barrett	Dillon	Hill	Patton	Sloane C A
Bashford	Doughty	Hitchcock	Phillips	Sloane J J
Baum	Dutton	Hoffman	Pickett	Smith J E
Bedell	Egan	Hutton	Post	Snyder
Beede	Ellis	Johnson	Poth	Sprague
Boland	Evarts	Juengst	Redington	Stoneman
Brennan E O	Fallows	Kane	Riedman	Sullivan T P
Brennan J R	Farrell	Kelley E E	Rierdon	Sullivan W J
Brewster	Finn	Kelly G T	Roberts	Thorn
Brown	Fish	Kelsey	Roche	Torborg
Bryan	Fordyce	Kullman	Rodenbeck	Trainor
Bulkley	Fowler	Lewis M E	Rogers	Tripp
Burnett	Gale	Lewis T D	Rowe	Vincent
Cain	Gallagher	Litchard	Russell	Ware
Clark	Gardiner	Mangin	Sabine	West
Collier	Gleason	Martin	Sage H M	Whipple
Collins	Gould	Mazet	Sage S B	Wilson
Costello	Graham	McEwan	Sanders	Wissel
Cotton	Green	McInerney	Sands	Witter
Coughtry	Grossman	McMillan	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 297, Assembly reprint No. 1641) entitled "An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office

to Jordan L. Mott on the 14th day of August, 1851, and to release any interest of the State in and to the lands covered by said grant " (Rec. No. 68), having been announced for a third reading,

On motion of Mr. McKeown, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1642) entitled " An act to define the size of small fruit packages " (Int. No. 98), having been announced for a third reading,

On motion of Mr. Tripp, and by unanimous consent, said bill was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1652) entitled " An act to amend section 2731. of the Code of Civil Procedure, in relation to the limitation of actions by executors and administrators against heirs, devisees, legatees and next-of-kin of a decedent " (Int. No. 1133), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Henry	Murphy	Schmid F
Allds	Darrison	Hill	O'Connell	Schoeneck
Apgar	Dean	Hitchcock	O'Connor	Sears
Axtell	De Graw	Hoffman	Palmer	Sharkey
Babcock	Delaney	Hutton	Paris	Siems
Baker	Dillon	Johnson	Patton	Slater
Ball	Dutton	Juengst	Phillips	Sloane C A
Bashford	Egan	Kane	Pickett	Sloane J J
Baum	Ellis	Kelley E E	Post	Smith E J
Bedell	Evarts	Kelly G T	Poth	Smith J T
Beede	Fancher	Kelsey	Redington	Sprague
Boland	Finn	Kullman	Riedman	Stoneman

Brennan E C	Fish	Lewis M E	Rierdon	Streifler
Brennan J F	Fitzgerald	Lewis T D	Roberts	Sullivan T P
Brewster	Fowler	Litchard	Roche	Sullivan W J
Brown	Gallagher	Mangin	Rodenbeck	Thorn
Bryan	Gleason	Martin	Rogers	Torborg
Bulkley	Gould	Mason	Rowe	Trainor
Burnett	Graham	Mazet	Russell	Tripp
Cain	Greenwood	McInerney	Sabine	Vincent
Clark	Grossman	McKeown	Sage H M	Ware
Collins	Hallock	McMillan	Sage S B	West
Costello	Harburger	Meister	Sanders	Wilson
Cottle	Hatch	Meyer	Sandford	Wingenfeld
Cotton	Hays	Miles	Sawyer	Wissel
Coughtry	Heller	Mohring	Schmid A F	Witter
Cowles	Henderson			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1650) entitled "An act to amend section 2342 of the Code of Civil Procedure, relating to the judicial settlement of the accounts of the committees of incompetent persons" (Int. No. 1092), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McMillan	Sanders
Allds	Davis	Harburger	Meister	Sandford
Apgar	Dean	Hatch	Meyer	Sands
Axtell	De Graw	Hays	Miles	Sawyer
Babcock	Delaney	Heller	Mohring	Schmid A F
Baker	Dillon	Henderson	Murphy	Schmid F
Ball	Doughty	Henry	O'Connell	Schoeneck
Barrett	Dutton	Hill	O'Connor	Sears
Bashford	Egan	Hitchcock	Palmer	Sharkey
Bedell	Ellis	Hoffman	Paris	Siems
Beede	Evarts	Hutton	Patton	Slater

Boland	Fallows	Johnson	Phillips	Sloane C A
Brennan E C	Fancher	Kane	Pickett	Sloane J J
Brennan J F	Farrell	Kelley E E	Post	Smith J E
Brewster	Finn	Kelly G T	Poth	Smith J T
Brown	Fish	Kelsey	Redington	Sprague
Bulkley	Fitzgerald	Kullman	Riedman	Streifler
Burnett	Fordyce	Lewis M E	Rierdon	Sullivan T P
Cain	Fowler	Lewis T D	Roberts	Sullivan W J
Clark	Gale	Litchard	Roche	Ten Eyck
Collier	Gallagher	Mangin	Rodenbeck	Torborg
Collins	Gleason	Martin	Rogers	Tripp
Costello	Gould	Mason	Rowe	Vincent
Cottle	Graham	Mazet	Russell	West
Cotton	Green	McEwan	Sabine	Wilson
Coughtry	Grossman	McInerney	Sage H M	Wingenfeld
Cowles	Guider	McKeown	Sage S B	Wissel
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

By unanimous consent, Mr. Murphy called up the bill (No. 1184) entitled "An act to amend the State Charities Law, relating to the licensing and regulation of dispensaries, by the State Board of Charities" (Int. No. 1015), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. Murphy, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Murphy, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Cotton	Green	Meister	Sawyer
Allds	Coughtry	Greenwood	Meyer	Schmid A F
Apgar	Cowles	Grossman	Miles	Schmid F

Axtell	Cross	Guider	Mohring	Siems
Babcock	Darrison	Hays	Murphy	Slater
Baker	Davis	Heller	O'Connell	Sloane C A
Ball	Dean	Henderson	O'Connor	Sloane J J
Barrett	De Graw	Henry	Palmer	Smith J E
Bashford	Doughty	Hill	Paris	Sprague
Baum	Dutton	Hitchcock	Patton	Stoneman
Bedell	Egan	Hoffman	Post	Streifler
Beede	Ellis	Hutton	Poth	Sullivan T P
Boland	Evarts	Kelsey	Redington	Sullivan W J
Brennan E C	Fallows	Kullman	Riedman	Ten Eyck
Brennan J F	Fancher	Lewis M E	Rierdon	Thorn
Brewster	Farrell	Lewis T D	Roberts	Torborg
Brown	Finn	Litchard	Roche	Trainor
Bulkley	Fish	Maher	Rodenbeck	Tripp
Burnett	Fitzgerald	Mangin	Rogers	Vincent
Cain	Fordyce	Martin	Russell	Ware
Clark	Fowler	Mason	Sage H M	West
Collier	Gardiner	Mazet	Sage S B	Whipple
Collins	Gleason	McEwan	Sanders	Wingensfeld
Costello	Gould	McInerney	Sandford	Wissel
Cottle	Graham	McKeown	Sands	Witter

In the negative,

Bryan

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Roche, Int. No. 1021, entitled "An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' in relation to the powers thereof" (No. 1190), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Ten Eyck, Int. No. 1379, entitled "An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records" (No. 1822), reported in favor of the

passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was re-committed the bill introduced by Mr. Mazet, Int. No. 213, entitled "An act to amend an act entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,' being chapter 376 of the Laws of 1896, in relation to auctions and auctioneers'" (No. 1470), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Green, Int. No. 1281, entitled "An act to amend section 1081 of the Code of Civil Procedure, relative to exemption from jury duty" (No. 1680), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by committee to investigate Surrogates' Court in New York county, Int. No. 1326, entitled "An act to amend the Code of Civil Procedure relating to references in Surrogates' Courts" (No. 1712), reported in favor of the passage of the same, with the following amendment:

Page 2, line 20, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1325, entitled "An act to amend the Code of Civil Procedure, relating to service of citation by publication" (No. 1711), reported in favor of the passage of the same, with the following amendment:

Page 2, line 26, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1323, entitled "An act to amend the Code of Civil Procedure, relating to application for ancillary letters" (No. 1709), reported in favor of the passage of the same, with the following amendment:

Page 2, line 9, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1322, entitled "An act to amend the Code of Civil Procedure, relating to inventory appraisals of the estates of decedents" (No. 1708), reported in favor of the passage of the same, with the following amendment:

Page 3, line 7, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1321, entitled "An act to amend the Code of Civil Procedure relating to practice by the father or son of a surrogate in that Surrogates' Court" (No. 1707), reported in favor of the passage of the same, with the following amendment:

Page 1, line 9, strike out the word "immediately" and insert in lieu thereof the following words, "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1320, entitled "An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers" (No. 1706), reported in favor of the passage of the same, with the following amendment:

Page 2, line 6, strike out the word "immediately" and insert in lieu thereof the following words, "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York county, Int. No. 1319, entitled "An act to amend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York" (No. 1705), reported in favor of the passage of the same, with the following amendments:

Page 2, line 18, strike out the words "the first day" and insert in lieu thereof the word "Monday."

Same page, line 25, strike out the word "immediately" and insert in lieu thereof the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. McMillan, Int. No. 1195, entitled "An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products" (No. 1489), reported in

favor of the passage of the same, with the following amendments:

Page 1, line 8, beginning with the word "and" strike out balance of line.

Same page, strike out all of line 9.

Page 2, strike out all of lines 1 and 2.

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 347, entitled "An act to amend the Penal Code, in relation to prize fighting and sparring exhibitions" (No. 357), reported in favor of the passage of the same, with the following amendments:

Page 2, line 11, add "Section 2."

Same page, at the end of same line, strike out the word "immediately" and insert in lieu thereof the words, "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Burnett, Int. No. 1182, entitled "An act to amend the Code of Civil Procedure, in relation to the Supreme Court reporter" (No. 1476), reported the following substitute bill, and requested that the bill be recommitted to said committee:

AN ACT to repeal article three of title one of chapter three of the code of civil procedure, and chapter five hundred and ninety-eight of the laws of eighteen hundred and ninety-two, entitled "An act to provide for reporting the decisions of the inferior courts of record in the State of New York," and to amend article two of title two of chapter three of the code of civil procedure, in relation to court reporters.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Article three of title one of chapter three of the code of civil procedure is hereby repealed.

§ 2. Chapter five hundred and ninety-eight of the laws of eighteen hundred and ninety-two entitled "An act to provide for reporting the decisions of the inferior courts of record in the state of New York" is hereby repealed.

§ 3. Article two of title two of chapter three of the code of civil procedure is hereby amended so as to read as follows:

ARTICLE SECOND.

[Supreme Court Reporter.

§ 244. Supreme court reporter.—The reporter of the decision of the supreme court is styled the supreme court reporter, and each provision of a statute, wherein the supreme court reporter is mentioned applies to that officer.]

[§ 245. Term of office; how appointed and removed.—The term of office the supreme court reporter is five years from the time of his appointment, and until his successor is appointed and qualifies. He must be appointed and may be removed, for cause, by the general term justices of the supreme court, or a majority of such of them as attend at a convention, held as prescribed in the next two sections. An appointment or removal must be in writing; it must be signed by the justices making it, and filed in the office of the secretary of state; otherwise it is of no effect.]

[§ 246. Meeting for appointment of reporter.—The general term justices of the supreme court must meet in convention, at the capitol in the city of Albany, at noon of the day when the term of office of the supreme court reporter expires, for the purpose of appointing a supreme court reporter in his place. If that day is Sunday or a public holiday, the convention must be held at the same time and place, on the first day thereafter, not being Sunday or a public holiday. If an appointment is not made at such a meeting, it may be made at a special meeting of the convention, held as prescribed in the next section. The supreme court reporter may be removed at such a special meeting.]

[§ 247. Special meeting for appointment or removal.—A special meeting of the convention, for the appointment or removal of a supreme court reporter, must be held at the capitol in the city of Albany; but it may be adjourned to any other place. It may be called by a presiding justice, by written or printed notice, stating the object of the meeting, and served, personally or through the post-office, upon each of the general term justices, at least two weeks before the time appointed therefor. If the object of the meeting is to consider the question of the removal of the

supreme court reporter, the notice must be accompanied with a copy of the grounds, alleged for the removal; and both must be served upon the supreme court reporter, personally, or by leaving them at his last place of residence, with some person of suitable age and discretion, at least ten days before the time appointed for the meeting.】

【§ 248. Papers and opinions to be furnished to the reporter.—In each cause heard, at a general term of the supreme court, the attorney or counsel for each party must deliver to the clerk, for the use of the supreme court reporter, a duplicate of each paper furnished by him for the use of the court. The clerk must collect those papers from the counsel; and immediately after the adjournment of the term, he must transmit them, and certified copies of all the decisions, made at that term, to the supreme court reporter, at the latter's expense. Each judge, who renders a written opinion in a cause decided at a general term, must transmit it, or a certified copy thereof, to the supreme court reporter, who must pay the expense of transmission, and also, where a copy is transmitted, the expense of copying, not exceeding eight cents for each folio.】

【§ 249. Duty of reporter; no salary to be paid to him.—The supreme court reporter is not entitled to a salary. He must report and publish such of the decisions at the general or special terms of the court, as he deems it for the public interest to have reported. He must also report and publish the decision in a particular cause, which the court, at a general or special term, specially directs him to report. Not more than four volumes of his reports shall be published in any one year. He must prepare for each volume, and cause to be published therewith, the usual digest, head notes, tables of contents, and index.】

【§ 250. Price of volumes of reports.—The supreme court reporter must cause the reports, published as prescribed in the last section, to be kept constantly for sale to persons within the state, at a price not exceeding two dollars and fifty cents, for a volume of not less than seven hundred pages.】

COURT REPORTERS.

§ 244. Reporters specified.—The reporters included in this chapter are the state reporter, the supreme court reporter, and the miscellaneous reporter. The state reporter and the supreme court reporter in office when this chapter takes effect shall continue therein during the terms for which they were respectively appointed. The miscellaneous reporter in office when this chapter takes effect shall hold office for five years from and including the first day of January, eighteen hundred and ninety-eight.

§ 245. State reporter.—The court of appeals shall appoint and may at pleasure remove a state reporter.

§ 246. Duty of state reporter.—The state reporter must report every cause determined in the court of appeals, which the court directs him or which the public interest in his judgment requires him to report. The judges of the court must deliver to him the written opinions, rendered in each cause so determined. Each decision of the court, which is reported, must be so reported as soon as practicable after it is made.

§ 247. Unreported opinions.—The state reporter must deposit with the clerk of the court, all opinions delivered to him which are not to be reported, immediately after the publication of the reports of the other causes decided at the same time. They must be properly filed and preserved by the clerk.

§ 248. Salary and expenses of state reporter.—The state reporter shall receive an annual salary of five thousand dollars, and such allowance for clerk hire and additional assistance, and for office expenses, as may be necessary, not exceeding the appropriation therefor, to be paid by the treasurer on the certificate of the reporter and the warrant of the comptroller.

§ 249. Supreme court reporter.—The justices of the appellate division of the supreme court may appoint and may remove a reporter.

§ 250. Meeting for appointment.—The justices of the appellate divisions must meet in convention at the capitol in the city of Albany, at noon of the first business day, after the termination of the term of office of the supreme court reporter, for the purpose of appointing a successor, who shall be appointed by a majority of such of the justices as attend such meeting. If an appointment is not made at such a meeting, it may be made at special meeting held as prescribed in the next section.

§ 250a. Special meeting for appointment or removal.—A special meeting of the convention, for the appointment or removal of a supreme court reporter, must be held at the capitol in the city of Albany; but it may be adjourned to any other place. It may be called by a presiding justice by written or printed notice stating the object of the meeting, and served personally or through the post-office, upon each of the justices of the appellate divisions of the supreme court at least two weeks before the time appointed therefor. If the object of the meeting is to consider the question of the removal of the supreme court reporter, the notice must be accompanied with a copy of the grounds alleged for the removal; and both must be served upon the supreme court reporter personally, or by leaving them at his last place of resi-

dence, with some person of suitable age and discretion, at least ten days before the time appointed for the meeting. All appointments and removals of the supreme court reporter must be filed in the office of the secretary of state.

§ 250b. Papers and opinions to be furnished to supreme court reporter.—In each cause heard by the appellate division of the supreme court, the attorney or counsel for each party must deliver to the clerk of said appellate division, for the use of the supreme court reporter, a duplicate of each paper furnished by him for the use of the court. The clerk must collect such papers from the counsel; and immediately after the adjournment of the term, he must transmit them, and certified copies of all the decisions, made at that term, to the supreme court reporter, at the latter's expense. Each judge who renders a written opinion in a cause decided by the appellate division, must transmit it, or a certified copy thereof, to the supreme court reporter, who must pay the expense of transmission, and also, where a copy is transmitted, if required by the judge transmitting the same, the expense of copying, not exceeding eight cents for each folio.

§ 250c. Duty of supreme court reporter.—The supreme court reporter must report and publish such of the decisions of the appellate division of the supreme court as he deems it for the public interest to have reported. He must also report and publish the decision in a particular case which the court specially directs him to report. He must prepare for each volume and cause to be published therewith, the usual head-notes, table of contents and index.

§ 250d. Salary and expenses of supreme court reporter hereafter appointed.—A supreme court reporter hereafter appointed shall receive an annual salary of five thousand dollars, and may appoint and remove a deputy supreme court reporter, who shall receive an annual salary of forty-five hundred dollars, and he shall have such allowance for assistants, clerk hire, obtaining copies of opinions, and office expenses, as may be necessary, not exceeding the appropriation therefor, to be paid by the treasurer on the certificate of the reporter and the warrant of the comptroller.

§ 250e. Miscellaneous reporter.—The miscellaneous reporter shall be appointed by the governor for a term of five years, but the appointment of a successor to the present incumbent of that office at the expiration of the present term, shall be for a term to end on the fifteenth day of November, nineteen hundred and ten. He may be removed by the governor in the manner provided in the public officers law.

§ 250f. Duty of miscellaneous reporter.—The miscellaneous reporter shall report every opinion involving a question of law, concurred in by a majority of the court, in the appellate term of the supreme court, the general term of the city court of New York, in the surrogate's courts, and such other opinions as the public interests, in his judgment, requires, in causes decided in any court of record of this state, other than the appellate division of the supreme court and the court of appeals. The miscellaneous reports shall not contain the points of counsel or authorities cited by them, except where the miscellaneous reporter shall otherwise direct in a particular case, but the names of the counsel appearing in the case may be printed in connection therewith.

§ 250g. Papers and opinions to be furnished to miscellaneous reporter.—A judge of any court, the opinions of which are authorized or required to be published in the miscellaneous reports, shall, on request, furnish a copy of any opinion written by him, to the miscellaneous reporter on payment of the expense of copying the same, not exceeding eight cents per folio. Each counsel who argues or submits a cause at the appellate term of the supreme court or the general term of the city court of the city of New York, shall deliver to the clerk thereof a duplicate of each paper furnished for the use of the court, and such clerk shall immediately after the adjournment of the term transmit the same to the miscellaneous reporter, or his representative, together with a certified copy of all the decisions rendered at such term.

§ 250h. Salary and expenses of miscellaneous reporter.—The miscellaneous reporter shall receive an annual salary of forty-five hundred dollars, and such allowance for assistants, clerk hire, obtaining copies of opinions, and office expenses, as may be necessary, not exceeding the appropriation therefor, to be paid by the treasurer on the certificate of the reporter and the warrant of the comptroller.

§ 250i. Names of reports.—The reports prepared by the state reporter shall be known as the "New York Reports." The reports prepared by the supreme court reporter shall be known as the "Appellate Division Reports, Supreme Court." The reports prepared by the miscellaneous reporter shall be known as the "Miscellaneous Reports."

§ 250j. Contract for publication of reports.—The state reporter, the supreme court reporter and the miscellaneous reporter shall constitute a board to be known as "The Board of Official Court Reporters," which shall on December fifteenth, nineteen hundred, and from time to time thereafter on behalf of the people of the state of New York contract for the publication of the New York,

the Appellate Division and the Miscellaneous Reports, in weekly parts and in bound volumes, and may provide for the publication therewith of the session laws. Such contract shall contain such provisions as to the details of the work of printing and publication as in the judgment of the "Board of Official Court Reporters" shall be proper, and may also provide for the payment of liquidated damages in case of a failure by the party with whom the contract is made to observe its obligations, which may be enforced in an action by the people of the state of New York, or by any other party aggrieved thereby, and it shall be the duty of the attorney general to bring such action whenever requested by a majority of such board so to do. Such a contract must be made after advertising and receiving proposals therefor, and must require the publisher to deliver as required by section two hundred and fifty-m the number of copies of the weekly parts and of the bound volumes of reports required for distribution as therein provided, and also to publish and sell the weekly parts and bound volumes of the reports on terms most advantageous to the public, at a price, for such weekly parts and bound volumes, or for single volumes, or for the weekly parts, or either, not in either case to exceed a price or rate of two dollars for a volume of not less than seven hundred pages. The contract shall continue in force until the first day of January next succeeding the expiration of five years from the date thereof, and as to any volume in process of publication and not completed on such first day of January, the contract shall continue in force until such volume is completed. The Board of Official Court Reporters may by a written instrument, signed by a majority of the board and filed in the office of the secretary of state, annul such a contract from a time specified in the instrument whenever in its judgment the contract is not being faithfully kept by the publisher, and thereupon the board may enter into a new contract. Each contract and each annulment thereof must be approved by the chief judge of the court of appeals.

§ 250k. Reporters not to be interested in contracts.—Neither the state reporter, the supreme court reporter hereafter appointed, nor the miscellaneous reporter, shall have any pecuniary interest in a contract for the publication of the reports. The reports of the appellate division of the supreme court shall continue to be published according to the terms and conditions of the contract therefor heretofore made by the supreme court reporter and in force on the first day of March, eighteen hundred and ninety-eight, until the expiration thereof, unless annulled pursuant to law, but such contract shall not be extended nor renewed, nor a new contract made for such publication for a time beyond the expiration of the term of the supreme court reporter in office when this chapter takes effect.

§ 250l. Copyright of reports.—Any person may publish opinions of the court of appeals, of the appellate division of the supreme court published by a reporter hereafter appointed, or of any court whose opinions are required or permitted to be reported in the miscellaneous reports, but neither the state reporter, a supreme court reporter hereafter appointed, nor the miscellaneous reporter nor any other person shall obtain a copyright thereof. The copyright of the statement of facts of the headnotes and of all other notes or references prepared by the state reporter, by a supreme court reporter hereafter appointed, or by the miscellaneous reporter must be taken by and vested in the secretary of state for the benefit of the people of the state.

§ 250m. Distribution of reports.—The contract publisher shall, without charge, distribute and deliver by mail or express at his expense immediately upon their publication, copies of the weekly parts and of each bound volume of the reports published by him as follows:

1. To the state library, three.
2. To the consultation library of the court of appeals, one.
3. To each judge of the court of appeals, for the library assigned to him, one.
4. To each appellate division library, one.
5. To each judicial district library, one.
6. To the senate and assembly libraries, each two.
7. To each justice of the supreme court, one.
8. To the attorney-general's library, one.
9. To each county clerk, for the county law library, one.
10. The contract publisher shall also deliver a copy of each volume of the miscellaneous reports to each judge of the city court of New York.

This section shall not apply to the reports prepared and published by the supreme court reporter prior to January first, nineteen hundred and one or to the weekly parts prior to that date, up to which date the existing statutes relating to the distribution of said reports shall remain in full force and effect, anything in this act contained to the contrary notwithstanding.

§ 250n. Delivery of papers to successor.—A reporter must, upon the appointment of his successor, deliver to him all papers in his hands pertaining to a cause which he has not reported, or which are not necessary to be retained by him to complete the publication of a volume which is then partly printed. But a paper specified in this section or a copy thereof shall not be delivered to any person other than such successor or the publisher of a partly printed volume, except that a copy thereof may be furnished by the reporter after his term has expired, and during a vacancy in the office, to a judge of the court, or to the attorney for a party to the cause to which it relates.

§ 4. This act shall take effect September first eighteen hundred and ninety-nine.

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Hill, Int. No. 836, entitled "An act to amend the Code of Civil Procedure, in relation to witnesses in foreign actions" (No. 943), reported in favor of the passage of the following substitute bill:

AN ACT to amend sections nine hundred and fourteen, nine hundred and fifteen, nine hundred and nineteen and nine hundred and twenty and to repeal sections nine hundred and seventeen and nine hundred and eighteen of the code of civil procedure, relating to depositions taken within the state for use without the state.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section nine hundred and fourteen of the code of civil procedure is hereby amended so as to read as follows:

§ 914. In what cases deposition may be taken; provisions of this article exclusive.—A party to an action, suit, or special proceeding, civil or criminal, pending in a court without the state, either in the United States, or in a foreign country, may obtain, in the manner prescribed in this article, the testimony of a witness, or such testimony and, in connection therewith, the production of books and papers, within the state, to be used in the action, suit, or special proceeding. Such testimony and the production of such books and papers may, however, be obtained, and the subpoena to the witness, provided for in this article, be enforced, and the disobedience thereof be punished, only as prescribed in this article.

§ 2. Section nine hundred and fifteen of the code of civil procedure is hereby amended so as to read as follows:

§ 915. Subpoena to witness.—Where a commission to take testimony, with or without a provision for procuring the production of books and papers, within the state, has been issued from the court in which the action, suit, or special proceeding is pending; or where a notice has been given, or any other proceeding has been taken, for the purpose of taking the testimony, with or without a provision for procuring the production of books

and papers, within the state, pursuant to the laws of the state or country, wherein the court is located, or pursuant to the laws of the United States, if it is a court of the United States; the commission, notice, or other paper, authorizing the testimony to be taken, with or without a provision for the production of books and papers, may be presented, in behalf of the party desiring to obtain the testimony, with or without the production of books and papers, to the supreme court, or a justice thereof, or a county court, or the judge thereof, with proof, by affidavit, that the testimony of the witness is material to the party, which affidavit must also, in the case of an application for a subpoena requiring the production of books and papers, specify the particular books and papers which the witness is required to produce, and show to the satisfaction of the court or judge the materiality thereof. The court or judge may, in its or his discretion, thereupon issue a subpoena to the witness, commanding him to appear before the commissioner, named in the commission; or before a commissioner, within the state, for the state, territory, or foreign country, in which the notice was given, or the proceeding taken; or before the officer designated in the commission, notice, or other paper, by his title of office; at a time and place specified in the subpoena, to testify, and, when required, to produce the books and papers specified, in the action, suit, or special proceeding. The subpoena must be served upon the witness at least two days, or, in the case of a subpoena requiring the production of books and papers, at least five days, before the day when he is commanded to appear. The witness, or any party to said action, suit, or special proceeding, may apply to the court by which, or by a judge of which such subpoena has been issued, or to a judge of said court, for an order vacating or modifying such subpoena. Such application shall be made upon or without notice, as the court or judge may prescribe. The witness, or any such party, may appeal to the appellate division of the supreme court from any order made on such an application, which appeal shall operate as a stay of all proceedings under the order and subpoena, but there shall be no appeal therefrom to the court of appeals.

§ 3. Section nine hundred and nineteen of the code of civil procedure is hereby amended so as to read as follows:

§ 919. Taking and return of deposition.—The officer, or commissioner, before whom a witness appears, in a case specified in this article, must take down this testimony, or cause the same to be taken down, in writing, and must annex to such testimony copies of all books and papers produced by the witness, and must certify and transmit the deposition to the court in which the

action, suit, or special proceeding is pending, as the practice of that court requires.

§ 4. Section nine hundred and twenty of the code of civil procedure is hereby amended so as to read as follows:

§ 920. Procedure and penalty, on failure of witness to obey subpoena, or to testify, or to subscribe to deposition.—Upon proof by affidavit that a person, upon whom a subpoena issued as prescribed in this article has been duly served, has failed or refused to appear at the time and place specified in such subpoena, or to be duly sworn or affirmed, or to testify, or to answer a question or questions propounded to him, or to produce a book or paper which he has been duly subpoenaed to produce, or to subscribe to his deposition when correctly taken down, the court by which, or by a judge of which, such subpoena shall have been issued, or a judge of said court, shall grant an order requiring such person to show cause before said court, at a time and place therein specified, why he should not appear, or be sworn or affirmed, or testify, or answer the question or questions propounded, or produce the book or paper, or subscribe to his deposition, as the case may be. Upon the return of such order to show cause, the court shall, upon the pleadings and proceedings in the action, suit or special proceeding in which such deposition is sought to be taken, and upon such other facts as shall appear, determine whether such person ought to be required to appear, or to be sworn or affirmed, or to testify, or to answer the question or questions propounded, or to produce the book or paper, or to subscribe to his deposition, as the case may be, and may prescribe such terms and conditions as to it shall seem proper. A failure or refusal on the part of any person to comply with any order of the court, or of a judge thereof, made by virtue of the power conferred by this section, shall be a contempt within the provisions of section eight of the code of civil procedure, and an order made as prescribed in this section may be enforced by fine and imprisonment. Any party to said action, suit, or special proceeding, or a witness who is required to obey an order made as prescribed in this section, may appeal from such an order to the appellate division of the supreme court, which appeal shall operate as a stay of all proceedings under the order and subpoena, but there shall be no appeal therefrom to the court of appeals.

§ 5. Sections nine hundred and seventeen and nine hundred and eighteen of the code of civil procedure are, and each of them is, hereby repealed.

§ 6. This act shall take effect immediately.

HENRY W. HILL,

Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Burnett, Int. No. 1275, entitled "An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof" (No. 1675), reported in favor of the passage of the same, without amendments, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Burnett, Int. No. 1273, entitled "An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house, and to authorize the purchase of a site for, and the erection thereon of, a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof" (No. 1673), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Bryan, Int. No. 1333, entitled "An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (No. 1741), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. West, Int. No. 1032, entitled "An act to amend chapter 18 of the general laws, known as the County Law, being chapter 686 of the Laws of 1892, with respect to coroners, and to add an additional section to said chapter" (No. 1215), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Pickett, Int. No. 500, entitled

"An act exempting Clinton county from certain provisions of chapter 19 of the general laws, known as the Highway Law" (No. 527), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Allds, Int. No. 1031, entitled "An act to amend the State Charities Law, in relation to the powers of the State Board of Charities" (No. 1214), reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, after the word "any" insert the word "state."

Same page, line 8, after the word "buildings" insert the underscored words "of such institutions."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 117, entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State for registering a mining claim" (No. 607), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. J. J. Sloane, Int. No. 1355, entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (No. 1777), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1409, entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites

and erecting new public school buildings thereon in such city " (No. 1835), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. C. A. Sloane, Int. No. 1354, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira' " (No. 1776), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Meister, Int. No. 1286, entitled "An act to amend the Greater New York charter, in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes " (No. 1685), reported in favor of the passage of the same, with the following amendments:

Page 2, line 4, strike out the word "directed" and insert the words "empowered in its discretion."

Same page, line 5, beginning with the words "one pier" underline balance of sentence, ending with the word "borough" on line 7.

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. W. J. Sullivan, Int. No. 1267, entitled "An act to confirm and legalize certain taxes and assessments in the city of Utica " (No. 1611), reported in favor of the passage of the same, with the following amendment:

Page 1. line 5, after the words "said city" insert the words "the board of assessors of said city."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. O'Connor, Int. No. 902, entitled "An act to provide for the better health of school children attending the public schools in the city of New York by minimizing the danger of contagious diseases which might be transmitted by infected school books" (No. 1030), retaining its place on the order of third reading, reported the same with the following amendments:

Page 1, line 3, strike out the words "to destroy by combustion or fire" and insert the words "to disinfect."

Page 2, line 1, strike out the words "burn and destroy" and insert the word "disinfect."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wagner, Rec. No. 150, entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow the interest on awards to owners and persons interested in the land acquired by said city within the lines of the Eastern parkway and Buffalo avenue in the city of New York" (No. 564), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the Senate bill introduced by Mr. Sullivan, Rec. No. 196, entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department" (No. 874), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, strike out the word "required" and insert the word "authorized."

Page 2, line 1, strike out the word "shall" and insert the word "may."

Same page, line 5, strike out the word "shall" and insert the word "may."

Same page, line 7, strike out the word "shall" and insert the word "may."

Same page, line 10, strike out the word "may" and insert the word "shall."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Sears, Int. No. 1291, entitled "An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Ætna Fire Company of Fort Covington, New York,' to purchase a site for, and to erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance" (No. 1690), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Gale, Int. No. 1371, entitled "An act to amend section 14 of chapter 588 of the Laws of 1898, relating to the apportionment of the personal property of the county of Queens" (No. 1804), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 58, entitled "An act to amend chapter 71 of the Laws of 1898, entitled 'An act to authorize the board of supervisors of Monroe county to appoint a board of sidepath commissioners and to provide revenue for the repair and construction of sidepaths for bicycles'" (No. 466), reported in favor of the passage of the same,

without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Goodsell, Rec. No. 155, entitled "An act authorizing the Orange County Agricultural Society to hold real and personal property, and to issue stock to raise money for the use of the society" (No. 863), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. White, Rec. No. 197, entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' chapter 342 of the Laws of 1867, entitled An act to amend an act entitled An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' relating to the continuance of its corporate existence" (No. 646), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Norton, Rec. No. 160, entitled "An act to amend chapter 110 of the Laws of 1852, entitled 'An act to authorize the inhabitants of the town of Oyster Bay, in the county of Queens, to elect three assessors for said town'" (No. 847), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 128, entitled "An act to authorize the board of supervisors in any county where proceedings have been instituted under the provisions of chapter 493 of the Laws of 1892, entitled 'An act to provide for the construction of highways and bridges upon highways

running through two or more towns of the same county,' to investigate the affairs and conduct of commissioners appointed under said act" (No. 328), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 26, after the word "proceedure" insert the following:

"§ 3. Any such commissioner shall have the right to be represented by his counsel upon the examination and inquiry provided by section one of this act, and also the right to cross-examine witnesses. If any such commissioner requires the attendance of any person for examination, in his own behalf, such person shall be subpoenaed and his attendance required, in the same manner as provided by section two of this act for the subpoenae and attendance of any person for examination on the part of such board of supervisors."

Change section 3 to read section 4.

WILLIAM G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Brown, Int. No. 236, entitled "An act to amend chapter 414 of the Laws of 1897, known as the 'Village Law'" (No. 236), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Rice, Rec. No. 191, entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (No. 800), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 182, entitled "An act to provide for the paving of Broad street and

portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor" (No. 925), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. Sanders, Int. No. 313, entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (No. 321), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. McEwan, said bill was recommitted to the committee on banks, retaining its place on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. Fallows, Int. No. 1185, entitled "An act to amend the Labor Law, in relation to the protection of persons employed on buildings in cities" (No. 1479), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Witter, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Streifler, Int. No. 607, entitled "An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners" (No. 1813), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Litchard, from the committee on agriculture, to which was referred the bill introduced by Mr. Burnett, Int. No. 1274, entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and 8 of the general laws,' relative to prevention of disease among bees" (No. 1674), reported in favor of the passage of the

same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on revision.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 783) entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and schoolhouses" (Int. No. 718), reported the same with the following recommendations:

Page 3, line 17, strike out the words "upon its passage" and insert the word "immediately."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1812) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1063), reported the same with the following recommendations:

Page 1, line 4, after the word "end" insert a comma, and after the word "one" insert a comma.

Page 2, line 8, after the word "same" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1814) entitled "An act to amend the Tax Law, relating to exemptions from taxation of certain mortgages on agricultural lands" (Int. No. 375), reported the same with the following recommendations:

Amend the title so as to read as follows:

"An act to amend the tax law, relating to exemptions from taxation of certain mortgages on real estate."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1674) entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and eight of the general laws,' relative to prevention of disease among bees" (Int. No. 1274), reported the same without recommendations, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1815) entitled "An act to amend chapter 599 of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company'" (Int. No. 26), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-eight" insert the following words: "entitled, 'An act to incorporate the Security Assurance Company.'"

Page 2, line 5, strike out the letter "s" from the word "corporations."

Page 2, line 7, after the word "provided" insert a comma.

Page 3, line 5, after the word "persons" insert a comma.

Same page, line 6, after the word "prescribe" insert a comma.

Same page, line 15, after the word "then" insert a comma.

Same page, line 18, after the word "act" insert a comma.

Same page, line 19, after the word "Except" insert the following words in brackets: ["as last above provided, and except."]

Amend the title so as to read as follows:

"An act to amend chapter five hundred and ninety-nine of the laws of eighteen hundred and ninety-eight, entitled 'An act to incorporate the Security Assurance Company' relative to the capital stock of, and reports by said corporation, and subjecting said corporation to the inspection, examination and control of the banking department."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend the Railroad Law, relative to when con-

ductors and brakemen may be policemen." (No. 1783, Int. No. 1244.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to fishing in Lake Ontario in Oswego county." (No. 1782, Int. No. 1173.)

"An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer." (No. 1788, Int. No. 1158.)

"An act to amend chapter 481 of the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers." (No. 1784, Int. No. 1204.)

"An act to amend chapter 223 of the Laws of 1890, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observance of Memorial or Decoration Day,' relating to the raising of money by towns for the proper observance of Memorial or Decoration Day." (No. 1789, Int. No. 1075.)

"An act to amend chapter 299 of the Laws of 1869, entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, New York.'" (No. 1787, Int. No. 1209.)

"An act to amend the County Law, as amended by chapters 150 and 718 of the Laws of 1895, relating to sheriffs' office; time of keeping open." (No. 1786, Int. No. 903.)

"An act to amend the Town Law, in relation to voting and borrowing money for the purchase of a site and the erection of a town house." (No. 1785, Int. No. 1088.)

"An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of Sweden, county of Monroe,' in relation to the jurisdiction of police justice." (No. 1341, Int. No. 1101.)

"An act in relation to the term of office of the town treasurer of the town of Hempstead." (No. 1449, Int. No. 1179.)

"An act to amend chapter 338 of the Laws of 1893, entitled 'An

act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and 8 of the general laws,' relative to prevention of disease among bees." (No. 1674, Int. No. 1274.)

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the bill, No. 1406, entitled "An act for the protection of quail in the county of Montgomery" (Int. No. 530), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the bill, No. 816, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department" (Int. No. 402), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the following entitled Senate bills, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act to authorize the city of Syracuse to borrow money by the issue of bonds, to provide for their redemption, and to provide for the acquiring of title to the necessary land for a site for, and the erection of, a new high school building in said city." (No. 622, Assembly reprint No. 1746, Rec. No. 105.)

"An act for the protection of public health, and to prevent mistakes in the handling of poison." (No. 848, Assembly reprint No. 1749, Rec. No. 164.)

"An act to provide for the payment by the town of Waterford of its portion of the paving of Broad street in said town." (No. 444, Assembly reprint 1755, Rec. No. 72.)

Ordered, That the Clerk return said bills to the Senate.

A communication from the Governor was received and read, in the words following:

MARCH 24.]

1883

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, March 24, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 316, entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department" (Int. No. 402).

THEODORE ROOSEVELT.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, March 24, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1406, entitled "An act for the protection of quail in the county of Montgomery" (Int. No. 530).

THEODORE ROOSEVELT.

A communication was received from Hon. Francis J. Malloy, mayor of the city of Troy, returning Assembly bill No. 1203, entitled "An act to amend chapter 670 of the Laws of 1892, entitled 'An act to amend chapter 578 of the Laws of 1870, entitled An act to amend an act to incorporate the city of Troy, passed April 12, 1816, and the several acts amendatory thereof, and also to amend other acts relating to the city of Troy, and the acts amendatory of said chapter 598, and to consolidate into one act several of the acts amending the charter of, and other acts relating to the city of Troy and its departments, and to the inferior local courts therein,' and the acts amendatory thereof and supplementary thereto, relating to the city of Troy" (Int. No. 108), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Palmer presented several petitions from hop-growers of Schoharie county in favor of the Fordyce pure beer bill, which were referred to the committee on public health.

Mr. Johnson presented several petitions and remonstrances

against the passage of the Assembly bill proposing to repeal chapter 901 of the Laws of 1896, which provides for the teaching of physiology and hygiene in the public schools, with special reference to the effects of alcoholics and narcotics, which were referred to the committee on public education.

By unanimous consent,

Mr. Paris introduced a bill entitled "An act to authorize the comptroller of the State to hear and determine an application of George L. Clemons, for cancellation of tax sales of lot No. 98, South Bay tract in the town of Dresden, Washington county, for unpaid taxes" (Int. No. 1444), which was read the first time.

On motion of Mr. Paris, and by unanimous consent, said bill was read the second time, and ordered to a third reading and referred to the committee on ways and means.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to legalize, ratify and confirm the several acts, transactions and proceedings of the town board of the town of Tonawanda, and all other officials and their agents, in causing to be graded, drained, curbed and paved the highway in said town known as the Delaware road, between the city of Buffalo and the village of Tonawanda so far as relates to the issue of bonds under date of October 16, 1893, on account of said improvement, and legalizing said bonds" (Int. No. 1445), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Also, a bill entitled "An act to make an appropriation for the payment of judgments of the Court of Claims" (Int. No. 1446), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. A. F. Schmid introduced a bill entitled "An act to amend section 40, chapter 376 of the Laws of 1896, in relation to the better protection of life and limb" (Int. No. 1447), which was read the first time and referred to the committee on affairs of cities.

On motion of Mr. Kelsey, the House adjourned.

MONDAY EVENING, MARCH 27, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Fallon.

On motion of Mr. J. F. Brennan, the reading of the journal of Friday, March 24th, was dispensed with and the same was approved.

A communication from the Governor by the hand of the Secretary to the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *March 27, 1899.*

To the Legislature:

The tax laws of this State are in an exceedingly unsatisfactory condition, and I do not see how they can be put upon a just and wise basis, save after careful investigation, by legislative action. At present the farmers, the market gardeners, and the mechanics and tradesmen having small holdings, are paying an improper and excessive portion of the general taxes, while at the same time many of the efforts to remedy this state of affairs, notably in the direction of taxing securities, are not only unwise, but inefficient, and often serve merely to put a premium upon dishonesty. It would not be well to make any class of our citizens feel immunity from paying taxes, for this would almost certainly result in extravagant expenditure both in the State and in the municipalities; against which the surest safeguard is the immediate pressure on the purses of the citizens. But though complete immunity from taxation by the people at large is not desirable, the fact remains that at present taxation is excessive and badly distributed.

There is evident injustice in the light taxation of corporations. I have not the slightest sympathy with the outcry against corporations as such, or against prosperous men of business. Most of the great material works by which the entire country benefits, have been due to the action of individual men, or of aggregates of men, who made money for themselves by doing that which was in the interest of the people as a whole. From an armor plant to a street railway no work which is really beneficial to the public can be performed to the best advantage of the public save by men of such business capacity that they will not do the work unless they themselves receive ample reward for doing it. The effort to deprive them of an ample reward, merely means that

they will turn their energies in some other direction; and the public will be by just so much the loser. Moreover to tax corporations or men of means in such a way as to drive them out of the State works great damage to the State. To drive out of a community the men of means and the men who take the lead in business enterprises, would probably entail, as one of its first results, the starvation of a considerable portion of the remainder of the population.

But while I freely admit all this, it yet remains true that a corporation which derives its powers from the State, should pay to the State a just percentage of its earnings as a return for the privileges it enjoys. This should be especially true for the franchises bestowed upon gas companies, street railroads and the like. The question of the municipal ownership of these franchises cannot be raised with propriety until the governments of all municipalities show greater wisdom and virtue than has been recently shown, for instance, in New York city; and the question of laying and assessing the tax and franchises of every kind throughout the State should in my opinion be determined by the State itself. I need not point out to you that in foreign communities a very large percentage of the taxes comes from corporations which use the public domain for pipes, tracks and the like. Whether these franchises should be taxed as realty; or whether it would be wiser to provide that, after the gross earnings equal, say, 10 per cent. of the actual original cost, then 5 per cent. of all the gross earnings over and above this shall be paid into the city treasury; or whether some yet different plan should be tried, can only be settled after careful examination of the whole subject. One thing is certain, that the franchises should in some form yield a moneyed return to the government. To put on a tax here and there as new franchises are asked for may be advisable, but of course is inequitable, to the extent that it handicaps the few thus taxed in their competition with the untaxed corporations; and it may be that now and then some franchise to perform an especially needful and risky service should not be thus handicapped at all. It is far better to have a general scheme of taxation, one that shall apply, for instance, to railroads entering New York city, to railroads operating within the city, to gas companies, electric companies and the like.

Many commissions have been created by legislative enactment in this and other States in the past, and it has been the almost universal experience that however excellent the reports of such commissions might be, if they were made up of men outside the Legislature, the Legislature paid little or no heed to them. I therefore recommend that you create a joint committee of the

Senate and Assembly, to investigate the subject in full, and to report to the next Legislature a proper scheme of taxation.

THEODORE ROOSEVELT.

Said message was laid upon the table and ordered printed.

(See Document.)

A message from the Governor by the hand of the Secretary to the Governor was received and read in the words following:

STATE OF NEW YORK — EXECUTIVE CHAMBER,
ALBANY, March 27, 1899.

To the Assembly:

Assembly bill No. 639, entitled "An act in relation to the wearing of gowns or other habits by the attorneys and counselors-at-law of the Supreme Court of the State," is herewith returned without approval.

This bill is obviously and utterly unnecessary. The whole subject should be left and can safely be left where it belongs—to the good sense of the judiciary.

THEODORE ROOSEVELT.

Mr. Green moved that the vote by which said bill was passed be reconsidered, and that said motion lie on the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1100) entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office" (Int. No. 948), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third readings for Wednesday next immediately after the reading of the journal.

The bill (No. 1099) entitled "An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office" (Int. No. 947), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

The bill (No. 1101) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the manage-

ment of said office " (Int. No. 949), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

The bill (No. 1399) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning " (Int. No. 1142), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday next, immediately after the reading of the journal.

The bill (No. 1316) entitled "An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation " (Int. No. 126), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation " (Int. No. 356), was read the second time.

On motion of Mr. Green, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1800) entitled "An act to exempt from State, county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital ' " (Int. No. 1367), having been announced for a second reading,

Mr. Collins moved to amend as follows:

Page 1, line 4, strike out the word "state," and same in title.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Said bill, as amended, was then read the second time, and

On motion of Mr. Collins, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 484) entitled "An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of "Die Deutsche Poliklinik of the city of New York" (The German Polielinic of the city of New York) from taxation' " (Int. No. 464), was read the second time.

On motion of Mr. Harburger, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 291) entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages, passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of New Rochelle, in the county of Westchester' " (Rec. No. 172), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading.

The Senate bill (No. 845) entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto " (Rec. No. 158), was read the second time.

On motion of Mr. Greenwood, said bill was placed on the order of third reading.

Mr. Kelsey in the Chair.

The Senate bill (No. 661) entitled "An act making an appropriation for expenses incurred in the Department of Public Buildings and for the maintenance of such department until September 30, 1899 " (Rec. No. 103), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

The Senate bill (No. 116) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,'

constituting chapter 24 of the general laws" (Rec. No. 163), was read the second time.

On motion of Mr. Axtell, said bill was placed on the order of third reading.

The bill (No. 1884) entitled "An act to amend chapter 115 of the Laws of 1841, in relation to the election of trustees" (Int. No. 827), having been announced for a second reading,

On motion of Mr. H. M. Sage, said bill was recommitted to the committee on internal affairs, retaining its place on the order of second reading.

The bill (No. 1776) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers" (Int. No. 1354), having been announced for a second reading,

Mr. Palmer.—Mr. Speaker, I move that this bill be stricken from the calendar for the following reasons, under a previous ruling of this Speaker:

On page 1, line 5, of the bill, the word "nine" in the act amended is changed to "twelve," and the word "nine" is not printed in brackets, nor is the new word "twelve" underscored.

On page 4, line 1, the words "ninth ward" are underscored and they are not new matter. On line 18, of the same page, "eleventh ward" is not underscored; those words are new matter. On page 5 of the bill, line 3, the words "seventeenth ward" are new matter, and not underscored.

In addition to this, this is an amendment of an existing statute, as will be seen by a reference to it. Page 5, section 2, of the bill, is nearly all printed without underscoring; and at the end of the bill are several words that are not printed within brackets, showing that they are stricken out.

I desire to say that the entire language giving the boundaries by districts in the city of Elmira to-day are stricken from this bill, and new words, giving the boundaries, are inserted, and not a single word of the entire language of the old boundary is printed in brackets.

Under a previous ruling of the House, with reference to an Albany bill, I now ask that the bill be stricken from the calendar.

Mr. Allds.—I suppose it presents a fair question to the Chair.

The Speaker (Mr. Kelsey).—The Chair would hold in conformity with former rulings on such matters, that the bill is not properly printed.

Mr. Palmer.—I move, then, that it be stricken from the calendar.

Mr. Allds.—That we may have no such trouble as we had with the Albany bill, I trust that the Speaker will direct that it be re-committed to a committee.

Mr. Palmer.—If there be any force in this motion the bill is not properly upon the calendar, and without unanimous consent it cannot be returned to a committee.

Mr. Allds.—It must be returned. The gentleman is disingenuous; he doesn't mean it.

Mr. Palmer.—I say this bill is properly on the calendar or it is not. If it is not properly on the calendar it is not in any form that we can amend or recommit, or do anything except to strike it from the calendar. If it be properly on the calendar it can retain its place. If not, as the Speaker has held, it has no right on the calendar now.

Mr. Allds.—My point is that the bill, having been introduced, it is either upon the calendar and before the House or still in committee.

Mr. Green.—Point of order. The bill is not properly before us, because it does not conform to Rule 54, page 145.

The Speaker.—The Chair understands that to be the point of order raised by the gentleman from Schoharie.

Mr. Green.—In support of that I desire to say: The gentleman from Schoharie moved to recommit the bill and strike it from the calendar. I make the point of order that the bill is not properly on the calendar and is not properly before the House, for the reason that the rule of this House is mandatory and peremptory. In conformity to this rule it must be returned to the introducer. The bill is not before the House and the Clerk must be directed to return it to the introducer.

The Speaker.—The Chair holds that the point of order is not

well taken. The Chair thinks that the bill is before the House and subject to its action. The bill is improperly printed and it is subject to the action of the House, as to recommittal to be printed in proper form.

Mr. Allds.—Is there any motion before the House? I move that it be recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

Mr. Palmer.—I desire to be recorded as objecting to any ruling that directs the amendment of this bill by any committee with the sanction of this House. What I mean is that when this bill comes back, if it does, we shall not be met with the condition that we unanimously consented to the amendment of this bill. I desire the Clerk as well as the stenographer to take notice of that objection. Do I understand the Speaker to rule that the bill is properly upon the calendar and properly before the House?

The Speaker.—The Chair holds that it is properly before the House, improperly printed, and subject to the action of the House as to recommittal and reprinting.

Mr. Palmer.—If it be improperly before the House, I then insist upon the motion that it be stricken from the calendar as not properly on the calendar.

The Speaker.—The Chair does not so hold.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Allds, and it was decided in the affirmative.

The bill (No. 1835) entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in such city" (Int. No. 1409), was read the second time.

Mr. Gardiner moved that said bill be placed on the order of third reading and referred to the committee on revision.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Gardner, and it was decided in the affirmative.

The bill (No. 1190) entitled "An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' in relation to the powers thereof" (Int. No. 1021), was read the second time.

On motion of Mr. Roche, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 527) entitled "An act exempting Clinton county from certain provisions of chapter 19 of the general laws, known as the Highway Law" (Int. No. 500), was read the second time.

On motion of Mr. Pickett, said bill was placed on the order of third reading.

On motion of Mr. Pickett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were .

Adler	Coughtry	Guider	Meister	Sawyer
Allds	Cross	Hallock	Miles	Schmid A F
Apgar	Darrison	Harburger	Mohring	Schmid F
Axtell	Davis	Hatch	Murphy	Schoeneck
Babcock	Dean	Hays	O'Connell	Sharkey
Baker	De Graw	Heller	Palmer	Siems
Ball	Dillon	Henry	Paris	Slater
Barrett	Doughty	Hill	Patton	Sloane J J
Bashford	Dutton	Hitchcock	Phillips	Smith J E
Baum	Egan	Hoffman	Post	Snyder
Bedell	Ellis	Hutton	Poth	Sprague
Beede	Evarts	Juengst	Redington	Streifler
Boland	Fallows	Kane	Riedman	Sullivan T P
Brennan E C	Fancher	Kelly G T	Rierdon	Ten Eyck
Brennan J F	Farrell	Kelsey	Roberts	Thorn
Brewster	Finn	Kullman	Roche	Torborg
Bryan	Fish	Lewis M E	Rodenbeck	Trainor
Bulkley	Fordyce	Lewis T D	Rogers	Tripp
Burnett	Fowler	Mangin	Rowe	Vincent
Cain	Gale	Martin	Russell	West
Clark	Gallagher	Mazet	Sabine	Whipple
Collier	Gleason	McEwan	Sage H M	Wilson

Collins	Gould	McInerney	Sage S B	Wingenfeld
Costello	Graham	McKeown	Sanders	Wissel
Cottle	Greenwood	McMillan	Sandford	Witter
Cotton	Grossman			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1680) entitled "An act to amend section 1081 of the Code of Civil Procedure, relative to exemption from jury duty" (Int. No. 1281), was read the second time.

On motion of Mr. Green, said bill was placed on the order of third reading.

On motion of Mr. Green, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McKeown	Sandford
Allds	Darrison	Hallock	McMillan	Sands
Apgar	Davis	Harburger	Meister	Sawyer
Babcock	De Graw	Hatch	Miles	Schmid A F
Baker	Delaney	Hays	Mohring	Schmid F
Ball	Dillon	Heller	Murphy	Sharkey
Barrett	Doughty	Henderson	O'Connor	Siems
Baum	Dutton	Henry	Palmer	Slater
Bedell	Egan	Hill	Paris	Sloane C A
Beede	Evarts	Hoffman	Phillips	Sloane J J
Boland	Fallows	Hutton	Pickett	Smith J T
Brennan J F	Fancher	Juengst	Post	Snyder
Brewster	Farrell	Kane	Poth	Stoneman
Brown	Fish	Kelley E E	Redington	Streifler
Bryan	Fitzgerald	Kelly G T	Riedman	Sullivan T P
Bulkley	Fordyce	Kelsey	Rierdon	Ten Eyck
Burnett	Fowler	Kullman	Roberts	Thorn
Cain	Gale	Lewis M E	Roche	Trainor

Collier	Gallagher	Lewis T D	Rodenbeck	Tripp
Collins	Gleason	Litchard	Rogers	Vincent
Costello	Gould	Mangin	Rowe	West
Cottle	Graham	Martin	Russell	Wilson
Cotton	Green	Mason	Sabine	Wingenfeld
Coughtry	Greenwood	McEwan	Sage H M	Wissel
Oowles	Grossman	McInerney	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1777) entitled "An act to amend chapter 635 of the Laws of 1895, entitled 'An act to revise the charter of the city of Yonkers'" (Int. No. 1355), having been announced for a second reading,

On motion of Mr. Mazet, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1822) entitled "An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records" (Int. No. 1379), was read the second time.

On motion of Mr. Ten Eyck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1675) entitled "An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof" (Int. No. 1275), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1673) entitled "An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house, and to authorize the purchase of a site for, and the erection thereon of a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof" (Int. No. 1273), was read the second time.

On motion of Mr. Burnett, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1741) entitled "An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (Int. No. 1333), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1215) entitled "An act to amend chapter 18 of the general laws, known as the County Law, being chapter 686 of the Laws of 1892, with respect to coroners, and to add an additional section to said chapter" (Int. No. 1032), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 236) entitled "An act to amend chapter 414 of the Laws of 1897, known as the 'Village Law,' " (Int. No. 236), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1690) entitled "An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Aetna Fire Company of Fort Covington, N. Y.' to purchase a site for, and to erect, maintain and furnish a combination town and fireman's hall, and to provide for its care, control and maintenance" (Int. No. 1291), was read the second time.

On motion of Mr. Sears, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1813) entitled "An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners" (Int. No. 607), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on second reading for Wednesday next, immediately after the reading of the journal.

Leave of absence was granted Mr. Egan until Wednesday next.

The bill (No. 1479) entitled "An act to amend the Labor Law, in relation to the protection of persons employed on buildings in cities" (Int. No. 1185), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading.

On motion of Mr. Fallows, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 145 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Miles	Schmid F
Allds	Davis	Harburger	Mohring	Schoeneck
Apgar	Dean	Hatch	Murphy	Sears
Axtell	DeGraw	Hays	O'Connell	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Kane	Poth	Sprague
Boland	Fancher	Kelley E E	Redington	Stoneman
Brennan E C	Farrell	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brewster	Fish	Kullman	Roberts	Sullivan W J
Brown	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bryan	Fordyce	Lewis T D	Rodenbeck	Thorn
Bulkley	Fowler	Litchard	Rogers	Torborg
Burnett	Gale	Mangin	Rowe	Trainor
Cain	Gallagher	Martin	Russell	Tripp
Clark	Gardiner	Mason	Sabine	Vincent
Collier	Gleason	Mazet	Sage H M	Ware
Collins	Gould	McEwan	Sage S B	West
Costello	Graham	McInerney	Sanders	Whipple

Cotton	Green	McKeown	Sandford	Wilson
Coughtry	Greenwood	McMillan	Sands	Wingenfeld
Cowles	Grossman	Meister	Sawyer	Wissel
Cross	Guider	Meyer	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 466) entitled "An act to amend chapter 71 of the Laws of 1898, entitled 'An act to authorize the board of supervisors of Monroe county to appoint a board of sidepath commissioners and to provide revenue for the repair and construction of sidepaths for bicycles'" (Rec. No. 58), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

The Senate bill (No. 925) entitled "An act to provide for the paving of Broad street and portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor" (Rec. No. 182), was read the second time.

On motion of Mr. West, said bill was placed on the order of third reading.

The Senate bill (No. 800) entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (Rec. No. 191), was read the second time.

On motion of Mr. S. B. Sage, said bill was placed on the order of third reading.

The Senate bill (No. 646) entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' chapter 342 of the Laws of 1867, entitled 'An act to amend an act entitled An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' relating to the continuance of its corporate existence" (Rec. No. 197), was read the second time.

On motion of Mr. Delaney, said bill was placed on the order of third reading.

The Senate bill (No. 564) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow the interest on awards to owners and persons interested in the land acquired by said city within the lines of the Eastern parkway and Buffalo avenue, in the city of New York" (Rec. No. 150), was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading.

The Senate bill (No. 607) entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State for registering a mining claim" (Rec. No. 117), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

The Senate bill (No. 847) entitled "An act to amend chapter 110 of the Laws of 1852, entitled 'An act to authorize the inhabitants of the town of Oyster Bay, in the county of Queens, to elect three assessors for said town'" (Rec. No. 160), was read the second time.

On motion of Mr. Barrett, said bill was placed on the order of third reading.

The Senate bill (No. 863) entitled "An act authorizing the Orange County Agricultural Society to hold real and personal property, and to issue stock to raise money for the use of the society" (Rec. No. 155), was read the second time.

On motion of Mr. Graham, said bill was placed on the order of third reading.

The bill (No. 1649) entitled "An act to provide for the appointment of sidepath commissioners and to define and determine their duties, to authorize the construction and maintenance of sidepaths for bicycles, to license bicycles, and to regulate their use on such sidepaths and to provide revenue therefor" (Int. No. 1084), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Miles	Schmid F
Allds	Davis	Hatch	Mohring	Schoeneck
Apgar	Dean	Hays	Murphy	Sears
Axtell	DeGraw	Heller	O'Connell	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Patton	Sloane C A
Bashford	Dutton	Hoffman	Phillips	Sloane J J
Baum	Egan	Hutton	Pickett	Smith J E
Bedell	Ellis	Johnson	Poth	Smith J T
Beede	Evarts	Juengst	Redington	Snyder
Boland	Fallows	Kane	Riedman	Sprague
Brennan E C	Fancher	Kelley E E	Rierdon	Stoneman
Brennan J F	Farrell	Kelly G T	Roberts	Streifler
Brewster	Finn	Kelsey	Roche	Sullivan T P
Bryan	Fish	Kullman	Rodenbeck	Sullivan W J
Bulkley	Fordyce	Lewis M E	Rogers	Ten Eyck
Burnett	Fowler	Lewis T D	Rowe	Thorn
Cain	Gale	Litchard	Russell	Torborg
Clark	Gallagher	Mangin	Sabine	Trainor
Collins	Gardiner	Martin	Sage H M	Tripp
Costello	Gould	Mason	Sage S B	Ware
Cottle	Graham	Mazet	Sanders	West
Cotton	Green	McEwan	Sandford	Whipple
Coughtry	Grossman	McInerney	Sands	Wingenfeld
Cowles	Guider	McKeown	Sawyer	Wissel
Cross	Hallock	Meyer	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1642) entitled "An act to define the size of small fruit packages" (Int. No. 98), having been announced for a third reading,

On motion of Mr. Tripp, and by unanimous consent, said bill

was made a special order on third reading for to-morrow next immediately after the reading of the journal.

The Senate bill (No. 297, Assembly reprint 1641) entitled "An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the Commissioners of the Land Office to Jordan L. Mott, on the 14th day of August, 1851, and to release any interest of the State in and to the lands covered by said grant" (Rec. No. 68), having been announced for a third reading,

Mr. West moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

In the fifth line of the title, after the words "fifty-one" insert the following: "And also a grant of lands under the water of the Harlem river made by the commissioners of the land office to Henry F. Durant on the tenth day of January, eighteen hundred and sixty-nine."

Mr. Speaker put the question whether the House would agree to said motion of Mr. West, and it was determined in the affirmative.

Mr. Fish, from the committee on the judiciary, reported said bill amended as directed, and the same ordered reprinted and placed on the order of third reading.

The bill (No. 1783) entitled "An act to amend the Railroad Law, relative to when conductors and brakemen may be policemen" (Int. No. 1244), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	Meister	Sawyer
Allds	Cross	Hatch	Meyer	Schmid F
Apgar	Darrison	Hays	Miles	Schoeneck
Axtell	Davis	Heller	Mohring	Sears

Babcock	Dean	Henderson	Murphy	Sharkey
Baker	De Graw	Henry	O'Connell	Slater
Ball	Delaney	Hill	O'Connor	Sloane C A
Barrett	Doughty	Hitchcock	Palmer	Sloane J J
Bashford	Dutton	Hoffman	Paris	Smith J E
Baum	Egan	Hutton	Patton	Smith J T
Bedell	Ellis	Johnson	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streifler
Brennan J F	Fish	Kelsey	Riedman	Sullivan T P
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan W J
Brown	Fordyce	Lewis M E	Roberts	Ten Eyck
Bryan	Fowler	Lewis T D	Roche	Thorn
Bulkley	Gale	Litchard	Rodenbeck	Torborg
Burnett	Gallagher	Mangin	Rogers	Tripp
Cain	Gardiner	Martin	Russell	Vincent
Clark	Gleason	Mason	Sabine	Ware
Collier	Gould	Mazet	Sage H M	West
Collins	Graham	McEwan	Sage S B	Whipple
Costello	Green	McInerney	Sanders	Wilson
Cottle	Greenwood	McKeown	Sandford	Wingenfeld
Cotton	Grossman	McMillan	Sands	Wissel
Coughtry	Guider			

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1341) entitled "An act to amend chapter 34 of the Laws of 1899, entitled 'An act for the better administration of justice in the town of Sweden, county of Monroe,' in relation to the jurisdiction of police justice" (Int. No. 1101), having been announced for a third reading,

On motion of Mr. Gleason, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1782) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to fishing in Lake Ontario, in Oswego county" (Int. No. 1173), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meister	Schoeneck
Allds	Darrison	Harburger	Meyer	Sears
Apgar	Davis	Hatch	Miles	Sharkey
Axtell	Dean	Hays	Mohring	Siems
Babcock	De Graw	Henderson	Murphy	Slater
Baker	Delaney	Henry	O'Connor	Sloane C A
Ball	Dillon	Hill	O'Connell	Sloane J J
Barrett	Dutton	Hitchcock	Paris	Smith J T
Bashford	Ellis	Hoffman	Patton	Smith J E
Baum	Evarts	Hutton	Phillips	Snyder
Bedell	Fallows	Johnson	Pickett	Sprague
Beede	Farrell	Juengst	Poth	Stoneman
Brennan E C	Finn	Kane	Redington	Streifler
Brennan J F	Fish	Kelley E E	Riedman	Sullivan T P
Brewster	Fitzgerald	Kelly G T	Roberts	Sullivan W J
Brown	Fordyce	Kelsey	Roche	Ten Eyck
Bryan	Fowler	Kullman	Rodenbeck	Torborg
Bulkley	Gale	Lewis M E	Rogers	Trainor
Burnett	Gallagher	Lewis T D	Rowe	Tripp
Cain	Gardiner	Litchard	Russell	Vincent
Clark	Gleason	Mangin	Sage H M	Ware
Collier	Gould	Martin	Sage S B	West
Collins	Graham	Mason	Sanders	Whipple
Costello	Green	McEwan	Sands	Wilson
Cottle	Greenwood	McInerney	Sawyer	Wingenfeld
Cotton	Grossman	McKeown	Schmid A F	Wissel
Coughtry	Guider	McMillan	Schmid F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1449) entitled "An act in relation to the term of office of the town treasurer of the town of Hempstead" (Int. No. 1179), was read the third time, having been printed and upon the desks of the members it is final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid A F
Allds	Davis	Hatch	Miles	Schmid F
Apgar	Dean	Hays	Mohring	Schoeneck
Axtell	De Graw	Heller	Murphy	Sears
Babcock	Delaney	Henderson	O'Connell	Sharkey
Baker	Dillon	Henry	O'Connor	Siems
Ball	Dutton	Hill	Palmer	Slater
Bashford	Egan	Hoffman	Patton	Sloane C A
Baum	Ellis	Hutton	Phillips	Sloane J J
Bedell	Evarts	Johnson	Pickett	Smith J T
Beede	Fallows	Juengst	Post	Snyder
Boland	Fancher	Kane	Poth	Sprague
Brennan E C	Farrell	Kelley E E	Redington	Stoneman
Brennan J F	Finn	Kelly G T	Riedman	Streifler
Brewster	Fish	Kelsey	Rierdon	Sullivan T P
Brown	Fitzgerald	Kullman	Roberts	Sullivan W J
Bryan	Fordyce	Lewis M E	Roche	Ten Eyck
Bulkley	Fowler	Lewis T D	Rodenbeck	Thorn
Cain	Gale	Litchard	Rogers	Torborg
Clark	Gallagher	Mangin	Rowe	Trainor
Collier	Gardiner	Martin	Russell	Tripp
Collins	Gleason	Mason	Sabine	Vincent
Costello	Gould	Mazet	Sage H M	Ware
Cottle	Graham	McEwan	Sage S B	Whipple
Cotton	Green	McInerney	Sanders	Wilson
Coughtry	Grossman	McKeown	Sandford	Wingenfeld
Cowles	Guider	McMillan	Sands	Wissel
Cross	Hallock	Meister	Sawyer	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1787) entitled "An act to amend chapter 299 of the Laws of 1869, entitled 'An act to incorporate the Wappinger's Savings Bank, of Wappinger's Falls, Dutchess county, N. Y.'"

(Int. No. 1209), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 142 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meyer	Schmid A F
Allds	Darrison	Hatch	Miles	Schmid F
Apgar	Davis	Hays	Mohring	Schoeneck
Axtell	Dean	Heller	Murphy	Sears
Babcock	De Graw	Henderson	O'Connell	Sharkey
Baker	Delaney	Henry	O'Connor	Siems
Ball	Dillon	Hill	Palmer	Slater
Barrett	Doughty	Hitchcock	Paris	Sloane J J
Bashford	Dutton	Hoffman	Patton	Smith J E
Baum	Egan	Hutton	Phillips	Smith J T
Bedell	Ellis	Johnson	Pickett	Snyder
Beede	Evarts	Juengst	Post	Sprague
Boland	Fallows	Kane	Poth	Stoneman
Brennan E C	Fancher	Kelley E E	Redington	Streifler
Brennan J F	Farrell	Kelsey	Riedman	Sullivan T P
Brewster	Finn	Kullman	Rierdon	Ten Eyck
Brown	Fish	Lewis T D	Roberts	Thorn
Bryan	Fitzgerald	Lewis M E	Rodenbeck	Torborg
Bulkley	Fowler	Litchard	Rogers	Trainor
Burnett	Gale	Mangin	Rowe	Tripp
Cain	Gallagher	Martin	Russell	Vincent
Clark	Gardiner	Mason	Sabine	Ware
Collier	Gleason	Mazet	Sage S B	West
Collins	Gould	McEwan	Sage H M	Whipple
Costello	Graham	McInerney	Sanders	Wilson
Cottle	Greenwood	McKeown	Sandford	Wingenfeld
Cotton	Grossman	McMillan	Sands	Wissel
Coughtry	Guider	Meister	Sawyer	Witter
Cowles	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1789) entitled "An act to amend chapter 223 of the Laws of 1890, entitled 'An act to authorize towns to raise money to defray the expenses of the proper observances of Memorial or Decoration day,' relating to the raising of money by towns for the proper observance of Memorial or Decoration day" (Int. No. 1075),

was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sawyer
Allds	Cross	Grossman	McKeown	Schmid A F
Apgar	Darrison	Guider	McMillan	Schmid F
Axtell	Davis	Hallock	Meister	Schoeneck
Babcock	Dean	Harburger	Miles	Sharkey
Baker	De Graw	Hatch	Mohring	Siems
Ball	Delaney	Hays	Murphy	Slater
Barrett	Dillon	Heller	O'Connell	Sloane C A
Bashford	Doughty	Henry	Palmer	Sloane J J
Baum	Dutton	Hill	Paris	Smith J E
Bedell	Egan	Hitchcock	Patton	Smith J T
Beede	Ellis	Hoffman	Pickett	Snyder
Boland	Evarts	Hutton	Post	Sprague
Brennan E C	Fallows	Johnson	Poth	Stoneman
Brennan J F	Fancher	Juengst	Riedman	Streifler
Brewster	Farrell	Kane	Rierdon	Sullivan T P
Brown	Finn	Kelley E E	Roberts	Sullivan W J
Bryan	Fish	Kelly G T	Roche	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Rodenbeck	Torborg
Burnett	Fordyce	Kullman	Rogers	Trainor
Cain	Fowler	Lewis M E	Rowe	Vincent
Clark	Gale	Lewis T D	Russell	Ware
Collier	Gallagher	Litchard	Sabine	West
Collins	Gardiner	Mangin	Sage H M	Whipple
Costello	Gleason	Martin	Sage S B	Wingenfeld
Cottle	Gould	Mason	Sanders	Wissel
Cotton	Graham	Mazet	Sandford	Witter
Coughtry	Green	McEwan	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1788) entitled "An act to amend the Fisheries,

Game and Forest Law relative to use of dogs in hunting deer " (Int. No. 1158), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hatch	Meyer	Schoeneck
Allds	Cross	Hays	Miles	Sears
Apgar	Darrison	Heller	Murphy	Sharkey
Axtell	Davis	Henderson	O'Connell	Siems
Babcock	Dean	Hill	O'Connor	Slater
Baker	De Graw	Hitchcock	Paris	Sloane C A
Ball	Delaney	Hoffman	Patton	Sloane J J
Barrett	Dillon	Hutton	Pickett	Smith J E
Bashford	Dutton	Johnson	Post	Smith J T
Baum	Egan	Juengst	Poth	Snyder
Bedell	Ellis	Kane	Riedman	Stoneman
Beede	Fallows	Kelley E E	Rierdon	Streifler
Boland	Fancher	Kelly G T	Roberts	Sullivan T P
Brennan E C	Farrell	Kelsey	Roche	Sullivan W J
Brennan J F	Fish	Kullman	Rodenbeck	Ten Eyck
Brewster	Fitzgerald	Lewis M E	Rogers	Thorn
Bryan	Fordyce	Lewis T D	Rowe	Torborg
Bulkley	Gale	Litchard	Russell	Trainor
Burnett	Gallagher	Mangin	Sabine	Tripp
Cain	Gardiner	Martin	Sage H M	Vincent
Clark	Gleason	Mason	Sage S B	Ware
Collier	Gould	Mazet	Sanders	West
Collins	Green	McEwan	Sands	Wilson
Costello	Greenwood	McInerney	Sawyer	Wingenfeld
Cottle	Grossman	McKeown	Schmid A F	Wissel
Cotton	Hallock	McMillan	Schmid F	Witter
Coughtry	Harburger	Meister		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1784) entitled "An act to amend chapter 481 of

the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers" (Int. No. 1204), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	McMillan	Sands
Allds	Darrison	Hatch	Meister	Schmid A F
Apgar	Davis	Hays	Meyer	Schmid F
Axtell	Dean	Heller	Miles	Schoeneck
Babcock	De Graw	Henderson	Murphy	Sears
Baker	Delaney	Henry	O'Connell	Sharkey
Ball	Dillon	Hill	O'Connor	Slater
Barrett	Dutton	Hitchcock	Palmer	Sloane C A
Bashford	Egan	Hoffman	Paris	Sloane J J
Baum	Ellis	Hutton	Phillips	Smith J T
Beede	Evarts	Johnson	Pickett	Smith J E
Boland	Fallows	Juengst	Post	Sprague
Brennan E C	Fancher	Kane	Poth	Stoneman
Brennan J F	Farrell	Kelley E E	Redington	Streifer
Brewster	Finn	Kelly G T	Riedman	Sullivan T P
Bryan	Fish	Kelsey	Rierdon	Sullivan W J
Bulkley	Fitzgerald	Kullman	Roberts	Ten Eyck
Burnett	Fordyce	Lewis M E	Roche	Torborg
Cain	Fowler	Lewis T D	Rodenbeck	Trainor
Clark	Gale	Litchard	Rogers	Tripp
Collier	Gleason	Mangin	Rowe	Vincent
Collins	Gould	Martin	Russell	West
Costello	Graham	Mason	Sabine	Whipple
Cottle	Green	Mazet	Sage H M	Wilson
Cotton	Greenwood	McEwan	Sanders	Wingenfeld
Coughtry	Grossman	McInerney	Sandford	Witter
Cowles	Hallock	McKeown		

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1786) entitled "An act to amend the County Law, as amended by chapter 150 and 718 of the Laws of 1895, relating to sheriff's office; time of keeping open" (Int. No. 903), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McMillan	Sandford
Allds	Darrison	Hallock	Meister	Sands
Apgar	Davis	Harburger	Meyer	Schmid A F
Axtell	Dean	Hays	Miles	Schmid F
Babcock	De Graw	Heller	Mohring	Schoeneck
Baker	Delaney	Henderson	Murphy	Sears
Ball	Dillon	Henry	O'Connell	Siems
Barrett	Doughty	Hitchcock	O'Connor	Slater
Bashford	Dutton	Hoffman	Palmer	Sloane O A
Baum	Egan	Johnson	Paris	Sloane J J
Bedell	Ellis	Juengst	Phillips	Smith J T
Beede	Fallows	Kane	Pickett	Snyder
Brennan E C	Fancher	Kelley E E	Post	Sprague
Brennan J F	Farrell	Kelly G T	Poth	Stoneman
Brewster	Finn	Kelsey	Redington	Streifler
Brown	Fish	Kullman	Riedman	Sullivan T P
Bryan	Fitzgerald	Lewis M E	Rierdon	Sullivan W J
Bulkley	Fowler	Lewis T D	Roberts	Thorn
Cain	Gale	Litchard	Roche	Torborg
Clark	Gallagher	Mangin	Rodenbeck	Trainor
Collier	Gardiner	Martin	Rogers	Vincent
Collins	Gleason	Mason	Russell	Ware
Costello	Gould	Mazet	Sabine	Whipple
Cottle	Graham	McEwan	Sage S B	Wilson
Cotton	Green	McInerney	Sage H M	Wissel
Coughtry	Greenwood	McKeown	Sanders	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

The bill (No. 1785) entitled "An act to amend the Town Law, in relation to voting and borrowing money for the purchase of a site and the erection of a town house" (Int. No. 1088), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 132 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	Meyer	Schoeneck
Allds	Davis	Hays	Miles	Sears
Apgar	Dean	Heller	Mohring	Sharkey
Axtell	De Graw	Henry	O'Connell	Siems
Babcock	Delaney	Hill	O'Connor	Slater
Baker	Dillon	Hitchcock	Palmer	Sloane C A
Ball	Dutton	Hoffman	Patton	Sloane J J
Barrett	Egan	Johnson	Phillips	Smith J E
Bashford	Ellis	Juengst	Pickett	Smith J T
Bedell	Evarts	Kane	Post	Snyder
Beede	Fancher	Kelley E E	Poth	Sprague
Brennan E C	Farrell	Kelly G T	Redington	Stoneman
Brennan J F	Finn	Kelsey	Riedman	Streifer
Brewster	Fish	Kullman	Rierdon	Sullivan T P
Brown	Fitzgerald	Lewis M E	Roberts	Sullivan W J
Bryan	Fordyce	Lewis T D	Roche	Ten Eyck
Bulkley	Fowler	Litchard	Rodenbeck	Thorn
Burnett	Gale	Mangin	Rogers	Torborg
Cain	Gallagher	Martin	Rowe	Tripp
Clark	Gardiner	Mason	Russell	Vincent
Collier	Gleason	Mazet	Sage H M	Ware
Collins	Graham	McEwan	Sage S B	Whipple
Costello	Green	McInerney	Sandford	Wilson
Cottle	Greenwood	McKeown	Sands	Wingenfeld
Cotton	Grossman	McMillan	Schmid A F	Wissel
Coughtry	Guider	Meister	Schmid F	Witter
Cowles	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1674) entitled "An act to amend chapter 338 of the Laws of 1893, entitled 'An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and 8 of the general laws,' relative to prevention of disease among bees" (Int. No. 1274), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	McKeown	Schmid F
Allds	Dean	Hatch	Meister	Sears
Apgar	De Graw	Hays	Miles	Sharkey
Axtell	Delaney	Heller	Mohring	Siems
Babcock	Dillon	Henderson	Murphy	Slater
Baker	Doughty	Henry	O'Connor	Sloane J J
Ball	Dutton	Hill	Palmer	Smith J E
Barrett	Ellis	Hitchcock	Patton	Smith J T
Bashford	Evarts	Hoffman	Phillips	Snyder
BedeM	Fallows	Hutton	Pickett	Sprague
Beede	Fancher	Johnson	Post	Stoneman
Boland	Finn	Juengst	Redington	Streifler
Brennan J F	Fish	Kane	Riedman	Sullivan T P
Brewster	Fordyce	Keley EE	Rierdon	Sullivan W J
Brown	Fowler	Kelly G T	Roberts	Thorn
Bryan	Gale	Kelsey	Roche	Torborg
Burnett	Gallagher	Kullman	Rodenbeck	Trainor
Clark	Gardiner	Lewis M E	Rogers	Vincent
Collier	Gleason	Lewis T D	Rowe	Ware
Costello	Gould	Litchard	Sabine	West
Cottle	Graham	Mangin	Sage H M	Whipple
Cotton	Green	Martin	Sage S P	Wilson
Coughtry	Greenwood	Mason	Sanders	Wingenfeld
Cowles	Grossman	Mazet	Sands	Wissel
Cross	Guider	McEwan	Sawyer	Witter
Darrison	Hallock	McInerney	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 893) entitled "An act to revise the charter of the city of Gloversville" (Rec. No. 176), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	McKeown	Sands
Allds	Davis	Hallock	McMillan	Schmid A F
Apgar	Dean	Harburger	Meister	Schmid F
Axtell	Dillon	Hatch	Meyer	Sears
Babcock	Doughty	Hays	Miles	Siems
Ball	Dutton	Heller	Mohring	Slater
Barrett	Egan	Henry	Murphy	Sloane C A
Bashford	Ellis	Hill	O'Connor	Sloane J J
Baum	Evarts	Hitchcock	Palmer	Smith J E
Bedell	Fallows	Hoffman	Paris	Snyder
Beede	Fancher	Hutton	Phillips	Sprague
Brennan E C	Farrell	Johnson	Pickett	Stoneman
Brennan J F	Finn	Juengst	Post	Streifler
Brewster	Fish	Kane	Poth	Sullivan W J
Brown	Fitzgerald	Kelley E E	Riedman	Ten Eyck
Bryan	Fordyce	Kelsey	Rierdon	Thorn
Burnett	Fowler	Kullman	Roberts	Torborg
Cain	Gale	Lewis M E	Roche	Tripp
Clark	Gardiner	Lewis T D	Rodenbeck	Vincent
Collier	Gleason	Mangin	Rogers	Ware
Costello	Gould	Martin	Rowe	West
Cottle	Graham	Mason	Russell	Wilson
Cotton	Green	Mazet	Sage S B	Wingenfeld
Coughtry	Greenwood	McEwan	Sage H M	Wissel
Cross	Grossman	McInerney	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 873) entitled "An act to amend that portion of chapter 607 of the Laws of 1898, making certain appropriations for the New York State Soldiers' and Sailors' Home; to extend the time for letting the contracts by the board of trustees of said home; for the completion of the work of constructing and equipping new buildings provided for in said chapter, and authorizing the board of trustees to use a portion of any balance unexpended of the appropriation made by said chapter, for the purpose of ordinary repairs" (Rec. No. 193), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	Meyer	Schmid F
Allds	Coughtry	Green	Miles	Schoeneck
Apgar	Cowles	Grossman	Mohring	Sharkey
Axtell	Cross	Guider	Murphy	Siems
Babcock	Darrison	Harburger	O'Connell	Sloane C A
Baker	Davis	Hays	O'Connor	Sloane J J
Ball	Dean	Heller	Paris	Smith J E
Barrett	De Graw	Henry	Patton	Smith J T
Bashford	Delaney	Hoffman	Pickett	Snyder
Baum	Dillon	Johnson	Post	Stoneman
Bedell	Doughty	Kane	Poth	Streifler
Beede	Dutton	Kelly G T	Redington	Sullivan T P
Boland	Egan	Kelsey	Riedman	Sullivan W J
Brennan E	Cellis	Kullman	Roberts	Ten Eyck
Brennan J F	Evarts	Lewis M E	Roche	Thorn
Brewster	Fallows	Lewis T D	Rodenbeck	Torborg
Brown	Fancher	Litchard	Rogers	Trainor
Bryan	Farrell	Mangin	Rowe	Tripp
Bulkley	Finn	Martin	Russell	Vincent
Burnett	Fish	Mason	Sage H M	Ware
Cain	Fitzgerald	McEwan	Sage S B	West

Clark	Fowler	McInerney	Sanders	Whipple
Collier	Gale	McKeown	Sandford	Wingenfeld
Collins	Gallagher	McMillan	Sawyer	Wissel
Costello	Gardiner	Meister	Schmid	A F Witter
Cottle	Gould			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Pursuant to notice, Mr. Miles called up the bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest" (Int. No. 175), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. Miles, and by unanimous consent, said bill was made a special order on second reading for to-morrow immediately after the reading of the journal.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records." (No. 1822, Int. No. 1379.)

"An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in such city." (No. 1835, Int. No. 1459.)

"An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county." (No. 1738, Int. No. 1330.)

"An act to release to Charles S. Daily all the right, title and interest of the people of the State of New York in and to certain real estate in Islip, Suffolk county, New York," (No. 1283, Int. No. 1070.)

"An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company." (No. 1529, Int. No. 1242.)

"An act legalizing certain expenditures made by the board of education in the city of Yonkers prior to the first day of July, in the year 1897." (No. 886, Int. No. 798.)

"An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (No. 1791, Int. No. 1372.)

"An act to amend the Village Law, in relation to sales for the non-payment of taxes." (No. 1816, Int. No. 894.)

"An act providing for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, Oneida county, New York, and making an appropriation therefor." (No. 79, Int. No. 79.)

"An act to reappropriate money for the completion of the State armory in the village of Malone, and making an additional appropriation therefor." (No. 803, Int. No. 738.)

"An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State." (No. 850, Int. No. 766.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (No. 1368, Int. No. 1111.)

"An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the seventh day of March, 1899, relating to the acquiring of a town house, and to authorize the purchase of a site for, and the erection thereon of, a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof." (No. 1673, Int. No. 1273.)

"An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof." (No. 1675, Int. No. 1275.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1573) entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (Int. No. 1250), reported the same with the following recommendations:

Page 1, line 1, strike out the words "said act is hereby" and insert the following words, "chapter ten hundred and eighteen of the laws of eighteen hundred and ninety-five, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution.'"

Same page, line 4, after the word "property" insert a comma.

Same page, line 5, after the word "therein" insert a comma.

Same page, same line, after the word "water" insert a comma.

Same page, line 6, after the word "Ontario" insert a comma.

Page 2, line 1, after the word "lake" insert a comma.

Same page, same line, after the word "counties" insert a comma.

Same page, line 2, after the word "mark" insert a comma.

Same page, line 3, after the word "necessary" insert a comma.

Page 3, line 13, after the word "travel" strike out period and insert in lieu thereof a semicolon.

Same page, line 24, after the word "act" insert a comma.

Same page, line 26, after the word "and" insert a comma.

Page 4, line 1, after the word "notice" insert a comma.

Same page, line 15, after the word "of" insert in brackets the word "[two.]"

Page 5, line 4, strike out the words "Section five to be repealed" and insert the following, "§ 5. Section five of said act is hereby repealed."

Same page, line 5, strike out the figure "5" and insert the figure "6."

Also amend the title so as to read as follows: "An act to amend chapter ten hundred and eighteen of the laws of eighteen hundred and ninety-five, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution,' relative to the acquisition of ad-

ditional lands, and the employment of additional assistants to carry out the provisions of the act."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1698) entitled "An act in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Flushing, Jamaica and a part of the town of Hempstead, prior to January 1, 1898" (Int. No. 1312), reported the same with the following recommendations:

Page 1, line 1, strike out the word "Section" and insert the following before line 1, "Section 1. Section one of chapter five hundred and sixty-four of the laws of eighteen hundred and ninety-eight, entitled 'An act in relation to unpaid taxes, water rates and rents in that part of the city of New York constituting the city of Long Island City prior to January first, eighteen hundred and ninety-eight, is hereby amended so as to read as follows:'"

Page 2, between lines 4 and 5, insert the following: "§ 2. Section two of said chapter is hereby amended so as to read as follows:"

Same page, line 21, after the word "record" insert a semicolon.

Page 3, between lines 7 and 8, insert the following: "§ 4. Section four of said chapter is hereby amended so as to read as follows:"

Same page, line 11, after the word "York" insert a comma.

Same page, between lines 15 and 16, insert the following: "§ 5. Section five of said chapter is hereby amended so as to read as follows:"

Page 2, line 17, after the words "of the" insert the following, "face of the tax or taxes and water rates or rents for which the same were sold."

Same page, strike out all of line 18 and the word "gether" on line 19.

Same page, lines 19 and 20, strike out the following words, "from and after the time of such sale or sales."

Same page, between lines 23 and 24, insert the following, "§ 3. Section three of said chapter is hereby amended so as to read as follows:"

Also amend the title so as to read as follows: "An act to amend chapter five hundred and sixty-four of the laws of eigh-

teen hundred and ninety-eight, entitled 'An act in relation to unpaid taxes, water rates and rents in that part of the city of New York constituting the city of Long Island City prior to January first, eighteen hundred and ninety-eight,' in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Flushing, Jamaica and a part of the town of Hempstead, prior to January first, eighteen hundred and ninety-eight."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1187) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York" (Int. No. 1018), reported the same with the following recommendations:

Page 2, line 17, after the word "county" strike out the words "New York" and the comma.

Also amend the title to read as follows: "An act to release to Oscar W. Robbins all the right, title and interest of the people of the state of New York, in and to certain real estate in the town of Bleecker, Fulton county."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1066) entitled "An act relating to attendants upon the Supreme Court and county court, in and for the county of Monroe" (Int. No. 933), reported the same with the following recommendations:

Page 1, line 5, after the word "county" insert a comma.

Same page, line 6, after the word "judge" insert a comma.

Same page, same line, after the word "pleasure" insert a comma.

Same page, line 7, after the words "county court" insert a comma.

Same page, same line, after the word "respectively" insert a comma.

Page 2, lines 16 and 17, strike out the words "This act shall take effect on the first day of January, nineteen hundred and."

Same page, line 17, capitalize the word "all."

Same page, after line 19, add the following: "§ 5. This act shall take effect on the first day of January, nineteen hundred."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No.1804) entitled "An act to amend section 14 of chapter 588 of the Laws of 1898, relating to the apportionment of the personal property of the county of Queens" (Int. No. 1371), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-eight" insert the words "entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens;'" also amend the title so as to read as follows: "An act to amend chapter five hundred and eighty-eight of the laws of eighteen hundred and ninety-eight, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relating to the apportionment of the personal property of the county of Queens."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill introduced by the special committee of the Assembly to investigate the Surrogates' Court in New York county (No. 1703), entitled "An act for the protection of creditors of a decedent" (Int. No. 1317), reported the same with the following recommendations:

Page 2, lines 8 and 9, strike out the word "provision" and insert in the place thereof the word "act."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1470) entitled "An act to amend an act entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,' being chapter 376 of the Laws of 1896, in relation to auctions and auctioneers" (Int. No. 213), reported the same with the following recommendations:

Page 1, line 1, strike out the words "An act" and insert the words "Section fifty-three of article three of chapter three hundred and seventy-six of the laws of eighteen hundred and ninety-six."

Same page, strike out all of line 3.

Same page, line 4, strike out the words "eighteen hundred and ninety-six."

Page 2, line 21, after the word "agent" insert a period.

Page 3, between line 7 and 8, insert the words "§ 2. Section fifty-four of said chapter is hereby amended so as to read as follows:"

Page 4, between lines 8 and 9, insert the words "§ 3. Article three of said chapter is hereby amended by adding at the end thereof two new sections to be known as sections fifty-five and fifty-six and to read respectively as follows:"

Same page, line 19, after the word "county" insert a comma.

Same page, line 20, after the word "attendance" insert a comma.

Same page, same line, after the word "him" insert a comma.

Same page, line 21, before the word "holding" strike out period.

Same page, same line, after the word "sale" insert a comma.

Page 5, line 3, after the word "sales" insert a comma.

Page 6, line 4, after the word "books" strike out period.

Page 8, line 14, strike out the figure "3" and insert the figure 4."

Also, amend the title so as to read as follows: "An act to amend chapter three hundred and seventy-six of the laws of eighteen hundred and ninety-six, entitled 'An act relating to domestic commerce law, constituting chapter thirty-four of the general laws,' in relation to auctions and auctioneers."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1603) entitled "An act to amend section 23 of the Public Officers Law, relating to removals by the Governor" (Int. No. 1257), reported the same with the following recommendations:

Page 1, line 1, after the word "of" insert the words "chapter six hundred and eighty-one of the laws of eighteen hundred and ninety-two entitled 'An act in relation to public offices, constituting chapter seven of the general laws,' known as."

Same page, same line, after the word "law" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill introduced by the special committee of the Assembly to investigate the Surrogates' Court in New York county (No. 1702) entitled "An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings" (Int. No. 1316), reported the same with the following recommendations:

Page 2, line 4, before the word "as" insert a comma.

Same page, same line, after the word "course" insert a comma.

Page 2, line 5, strike out the word "is" and insert the word "are."

Same page, line 7, after the word "liable" insert a comma.

Same page, line 10, after the word "interest" insert the word "therein."

Same page, line 17, after the word "surrogate" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1605) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in Adirondack counties" (Int. No. 1259), reported the same with the following recommendations:

Page 2, line 4, strike out the word "Adirondack" and insert the word "certain."

Also, amend the title by striking out the word "Adirondack" and inserting the word "certain."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1606) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to powers and duties of protectors and foresters" (Int. No. 1260), reported the same with the following recommendations:

Page 2, line 8, after the word "care" insert a comma.

Same page, line 19, after the word "warrant" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1556) entitled "An act making an appropriation for the State Custodial Asylum for Feeble-Minded Women at Newark, N. Y." (Int. No. 1225), reported the same with the following recommendation:

Page 1, line 3, after the word "women" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1774) entitled "An act entitled An act to regulate the publication of the general and local laws passed by the Legislature of this State, and other State printing in the county of Schuyler, N. Y." (Int. No. 1352), reported the same with the following recommendations:

Page 2, line 21, after the word "laws" insert a comma.

Page 3, line 12, after the word "passed" insert a comma.

Also, amend the title to read as follows: "An act to regulate the publication of the general and local laws passed by the Legislature of this state, and other state printing, in the county of Schuyler."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend the charter of the city of Rochester, and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements." (No. 1811, Int. No. 1169.)

"An act to amend the Election Law, relative to independent nominations." (No. 1806, Int. No. 1186.)

"An act to amend chapter 253 of the Laws of 1887, relative to the investment of the trust funds of the Buffalo city cemetery." (No. 1807, Int. No. 837.)

"An act to amend chapter 747 of the Laws of 1896." (No. 1810, Int. No. 1262.)

"An act to amend chapter 908 of the Laws of 1896, relating to revision and readjustment of accounts by comptroller." (No. 1808, Int. No. 973.)

"An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws,' relative to licenses." (No. 1825, Int. No. 1237.)

"An act to compel all subway companies to place on all man-hole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes." (No. 42, Int. No. 42.)

"An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the laws of 1897, and legalizing elections thereunder." (No. 1824, 1224.)

"An act to make the office of coroner within the county of Steuben a salaried office, and to regulate the management of said office." (No. 1028, Int. No. 900.)

"An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures." (No. 1812, Int. No. 1063.)

"An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county." (No. 1738, Int. No. 1330.)

"An act to release to Charles S. Daily all the right, title and interest of the people of the State of New York in and to certain real estate in Islip, Suffolk county, New York." (No. 1283, Int. No. 1070.)

"An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, New York, and the Rome City Street Railway Company." (No. 1529, Int. No. 1242.)

"An act legalizing certain expenditures made by the board of education in the city of Yonkers prior to the first day of July, in the year 1897." (No. 886, Int. No. 798.)

"An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture." (No. 1791, Int. No. 1372.)

"An act to amend the Village Law, in relation to sales for the non-payment of taxes." (No. 1816, Int. No. 894.)

"An act providing for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, Oneida county, New York, and making an appropriation therefor." (No. 79, Int. No. 79.)

"An act to reappropriate money for the completion of the State armory in the village of Malone, and making an additional appropriation therefor." (No. 803, Int. No. 738.)

"An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State." (No. 850, Int. No. 766.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State." (No. 1368, Int. No. 1111.)

"An act to amend the Fisheries, Game and Forest Law, in relation to powers and duties of protectors and foresters." (No. 1606, Int. No. 1260.)

"An act making an appropriation for the State Custodial Asylum for Feeble Minded Women at Newark, New York." (No. 1556, Int. No. 1225.)

"An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records." (No. 1822, Int. No. 1379.)

"An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in such city." (No. 1835, Int. No. 1409.)

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill No. 693, entitled "An act to amend section 88 of chapter 908 of the Laws of 1896 known as the Tax Law relating to collectors bonds" (Rec. No. 148), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was retermined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1031, entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit, and the comptroller of the said city to pay, the expenses of Lewis M. Hornthal, Richard Kelly, Joseph Fettretch and Jeremiah Fitzpatrick, incurred for legal services and other expenses in actions brought against them individually and as trustees of the common schools for the Nineteenth ward of the city of New York by Louise M. Galligan" (Int. No. 885), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 713, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens and to provide for the government thereof,' in relation to assessments for local improvements" (Int. No. 145), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Isaac W. Sherrill, mayor of the city of Poughkeepsie, returning Assembly bill No. 704, entitled "An act to ratify and confirm the proceedings of the board of public works of the city of Poughkeepsie, in macadamizing a portion of Academy street in said city, and providing for re-assessing the expense thereof" (Int. No. 474), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Thomas J. Van Alstyne, mayor of the city of Albany, returning Assembly bill No. 708, entitled "An act relative to the property of the Catholic Union of the city of Albany" (Int. No. 401), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jerome De Witt, mayor of the city of Binghamton, returning Assembly bill No. 815, entitled "An act to amend chapter 294 of the Laws of 1869, entitled 'An act to incorporate the fire department of the city of Binghamton,' and the several acts amendatory thereof" (Int. No. 385), with a message that said mayor and the common council of

said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jerome De Witt, mayor of the city of Binghamton, returning Assembly bill No. 821, entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton'" (Int. No. 386), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jerome De Witt, mayor of the city of Binghamton, returning Assembly bill No. 823, entitled "An act to authorize the city of Binghamton to contract for the collection and disposal of the garbage of said city, and to pay the expense thereof" (Int. No. 387), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Jerome De Witt, mayor of the city of Binghamton, returning Assembly bill No. 824, entitled "An act to amend chapter 214 of the Laws of 1888, entitled 'An act to revise the charter of the city of Binghamton,' and the several acts amendatory thereof" (Int. No. 438), with a message that said mayor and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mazet gave notice that on Tuesday, March 28, he would call up Assembly bill No. 753, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate no-

tices are to be advertised " (Int. No. 691), the same having been laid aside on the order of third reading.

Mr. Mazet gave notice that on Tuesday, March 28, he would call up Assembly bill No. 1581, entitled "An act to amend the Greater New York charter, relating to the board of pharmacy " (Int. No. 215), the same having been laid aside on the order of third reading.

Mr. Guider gave notice that on Tuesday, March 28, he would call up Assembly bill No. 339, entitled "An act relating to the rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company " (Int. No. 328), the same having been laid aside on the order of second reading.

Mr. Guider gave notice that on Tuesday, March 28, he would call up Assembly bill No. 1726, entitled "An act in relation to the construction and alteration of elevators and elevator shafts in hotels of three stories in height or over " (Int. No. 244), the same having been laid aside on the order of second reading.

By unanimous consent,

Mr. Fallows introduced a bill entitled "An act to regulate and control the sale of horse flesh as food " (Int. No. 1448), which was read the first and referred to the committee on public health.

By unanimous consent,

Mr. Ware introduced a bill entitled "An act to amend section 484 of chapter 410 of the Laws of 1882, entitled "An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York," as amended by chapter 557 of the Laws of 1897, relative to apartment and lodging houses " (Int. No. 1452), which was read the first time and referred to the committee on affairs of cities.

Mr. Speaker resumed the Chair.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to amend chapter 317 of the Laws of 1894, entitled 'An act in relation to the public lands, constituting chapter 11 of the general laws,' relating to the powers of the commissioners of the land office " (Int. No. 1450), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Fancher introduced a bill entitled "An act to change the name of the Collins State Homeopathic Hospital for the Insane to the Gowanda State Homeopathic Hospital" (Int. No. 1449), which was read the first time.

On motion of Mr. Fancher, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on the judiciary.

By unanimous consent,

Mr. A. F. Schmid introduced a bill entitled "An act to provide for greater security against fire in hotels, inns and taverns" (Int. No. 1451), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Fish introduced a bill entitled "An act to provide for the construction of a vertical retaining wall on the east side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Cedar street to the bridge over said feeder opposite the easterly end of Stone street in said village, and reappropriating therefor certain moneys appropriated by chapter 633 of the Laws of 1898" (Int. No. 1453), which was read the first time.

On motion of Mr. Fish, and by unanimous consent, said bill was read the second time, and ordered to a third reading, and referred to the committee on ways and means.

On motion of Mr. Allds, the House adjourned.

TUESDAY, MARCH 28, 1899.

The House met pursuant to adjournment.

No clergyman present.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Speaker announced the special order, being the bill (No. 182) entitled "An act to amend the Railroad Law, and to provide for

the use of safety fenders on cars propelled by electricity or cable in the streets of cities of this State." (Int. No. 182.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 40 }
{ NOES 74 }

Those who voted in the affirmative, were

Adler	Bulkley	Darrison	Kelly G T	Smith J T
Allds	Burnett	Fish	Lewis M E	Snyder
Apgar	Clark	Fowler	Martin	Sprague
Axtell	Collier	Greenwood	Miles	Vincent
Babcock	Costello	Hallock	Paris	Ware
Baker	Cottle	Hays	Post	West
Bedell	Cotton	Hill	Rogers	Wilson
Brewster	Coughtry	Hitchcock	Slater	Witter

Those who voted in the negative, were

Ball	Fitzgerald	Juengst	Pickett	Sawyer
Barrett	Gale	Kane	Poth	Schmid A F
Bashford	Gallagher	Kelley E E	Redington	Schoeneck
Baum	Gardiner	Kelsey	Riedman	Sbarkey
Beede	Gleason	Kullman	Rierdon	Siems
Brennan E O	Gould	Maher	Roberts	Sloane J J
Brennan J F	Green	McInerney	Roche	Smith J E
Bryan	Grossman	McMillan	Rodenbeck	Stoneman
Cain	Guider	Meister	Rowe	Streifler
Collins	Harburger	Meyer	Russell	Sullivan W J
Cowles	Hatch	Mohring	Sabine	Torborg
Cross	Henderson	O'Connell	Sage H M	Trainor
Davis	Henry	O'Connor	Sage S B	Whipple
Dillon	Hoffman	Palmer	Sanders	Wissel
Finn	Hutton	Phillips	Sandford	

Mr. Rogers moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 520) entitled "An act to amend subdivision 16 of section 4, of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws.'" (Int. No. 493.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 62 }
{ NOES 62 }

Those who voted in the affirmative, were

Ball	Finn	Kullman	Patton	Schoeneck
Barrett	Fitzgerald	Maher	Pickett	Sharkey
Bashford	Gale	Mangin	Poth	Siems
Baum	Gallagher	Martin	Redington	Sloane J J
Boland	Gould	McInerney	Reidman	Smith J E
Brennan E C	Grossman	Meister	Rierdon	Streifler
Brennan J F	Harburger	Meyer	Roche	Sullivan T P
Cain	Heller	Mohring	Sabine	Sullivan W J
Collins	Henderson	Murphy	Sage S B	Torborg
Delaney	Hutton	O'Connell	Sanders	Trainor
Dillon	Juengst	O'Connor	Schmid A F	Whipple
Ellis	Kane	Palmer	Schmid F	Wissel
Evarts	Kelly G T			

Those who voted in the negative, were

Allds	Cotton	Hallock	Mazet	Sawyer
Babcock	Coughtry	Hatch	McMillan	Sears
Baker	Cowles	Hays	Paris	Slater
Bedell	Darrison	Henry	Phillips	Sloane C A
Beede	Davis	Hill	Post	Smith J T
Brewster	De Graw	Hitchcock	Roberts	Sprague
Bryan	Dutton	Johnson	Rodenbeck	Stoneman
Bulkley	Fallows	Kelley E E	Rogers	Vincent
Burnett	Fish	Kelsey	Rowe	Ware
Clark	Gardiner	Lewis M E	Russell	West
Collier	Gleason	Litchard	Sage H M	Wilson
Costello	Green	Mason	Sands	Witter
Cottle	Greenwood			

Mr. Grossman moved to reconsider the vote by which said bill was lost, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1717) entitled "An act to amend chapter 546 of the Laws of 1896, entitled 'An act relating to state charities, constituting chapter 26 of the general laws,' relating to commitments to house of refuge and reformatories for women." (Int. No. 365.)

Said bill having been announced for a third reading,

Mr. Green moved that said bill be recommitted to the committee on state prisons with instructions to report the same forthwith amended as follows:

Page 2, line 11, strike out the word "five" and insert the word "one."

Debate was had thereon, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

{ AYES 64 }
{ NOES 72 }

Those who voted in the affirmative, were

Ball	Finn	Kane	Phillips	Sharkey
Barrett	Fitzgerald	Kullman	Post	Siems
Bashford	Gallagher	Maher	Poth	Sloane J J
Baum	Gleason	Mangin	Redington	Smith J E
Boland	Green	McInerney	Riedman	Sprague
Brennan J F	Grossman	McKeown	Rierdon	Streifler
Cain	Guider	Meister	Roche	Sullivan T P
Collins	Harburger	Meyer	Sage S B	Sullivan W J
Coughtry	Henderson	Mohring	Sanders	Torborg
Cross	Hill	O'Connor	Sandford	Ware
Dillon	Hoffman	O'Connell	Schmid A F	Wingenfeld
Ellis	Hutton	Palmer	Schmid F	Wissel
Farrell	Juengst	Patton	Schoeneck	

Those who voted in the negative, were

Allds	Cotton	Hallock	Mazet	Sears
Axtell	Cowles	Hatch	McEwan	Slater
Babcock	Darrison	Hays	McMillan	Sloane C A
Baker	Davis	Heller	Miles	Smith J T
Bedell	De Graw	Henry	Paris	Snyder
Beede	Doughty	Hitchcock	Roberts	Stoneman
Brennan E C	Dutton	Johnson	Rodenbeck	Thorn
Brewster	Evarts	Kelley E E	Rogers	Trainor
Bryan	Fish	Kelly G T	Rowe	Tripp
Bulkley	Fordyce	Kelsey	Russell	Vincent
Burnett	Fowler	Lewis M E	Sabine	West
Clark	Gale	Litchard	Sage H M	Whipple
Collier	Gardiner	Martin	Sands	Wilson
Costello	Graham	Mason	Sawyer	Witter
Cottle	Greenwood			

Mr. Green moved that said bill be recommitted to the committee on State prisons, with instructions to report the same forthwith amended as follows:

Insert after the word "be" on line 11, the following: "fixed by the judge or justice sentencing such female and which shall not be more than."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Cross	Hatch	Mohring	Sharkey
Allds	Darrison	Hays	Murphy	Siems
Axtell	Davis	Heller	O'Connor	Slater
Babcock	De Graw	Henry	Palmer	Sloane C A
Baker	Dillon	Hitchcock	Paris	Sloane J J
Ball	Doughty	Hutton	Patton	Smith J E
Barrett	Dutton	Johnson	Phillips	Smith J T
Bashford	Ellis	Juengst	Pickett	Snyder
Baum	Evarts	Kane	Post	Sprague
Bedell	Fallows	Kelley E E	Rierdon	Stoneman
Beede	Farrell	Kelly G T	Roberts	Streifler
Boland	Finn	Kelsey	Roche	Sullivan T P
Brennan E C	Fish	Kullman	Rodenbeck	Sullivan W J
Brennan J F	Fitzgerald	Lewis M E	Rogers	Ten Eyck
Brewster	Fordyce	Maher	Rowe	Thorn

Bryan	Fowler	Mangin	Russell	Torborg
Bulkley	Gale	Martin	Sabine	Trainor
Burnett	Gallagher	Mason	Sage H M	Tripp
Cain	Gardiner	Mazet	Sage S B	Vincent
Clark	Gleason	McEwan	Sanders	Ware
Collier	Gould	McInerney	Sandford	West
Collins	Graham	McKeown	Sands	Whipple
Costello	Green	McMillan	Sawyer	Wilson
Cottle	Grossman	Meister	Schmid F	Wingenfeld
Cotton	Guider	Meyer	Schoeneck	Wissel
Coughtry	Hallock	Miles	Sears	Witter
Cowles	Harburger			

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Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had thereon, on said motion of Mr. Green.

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

} AYES 63 }
 } NOES 73 }

Those who voted in the affirmative, were

Ball	Finn	Juengst	Patton	Schmid F
Barrett	Fitzgerald	Kane	Phillips	Schoeneck
Bashford	Gallagher	Kelly G T	Pickett	Sharkey
Baum	Gardiner	Kullman	Poth	Siems
Boland	Gleason	Maher	Riedman	Sloanè J J
Brennan J F	Gould	Mangin	Rierdon	Smith J E
Bulkley	Green	McInerney	Roche	Streifler
Cain	Grossman	McKeown	Rodenbeck	Sullivan T P
Collins	Harburger	Meister	Sabine	Sullivan W J
Coughtry	Heller	Meyer	Sage S B	Torborg
Delaney	Henderson	Mohring	Sanders	Wingenfeld
Dillon	Hoffman	O'Connor	Schmid A F	Wissel
Farrell	Hutton	Palmer		

Those who voted in the negative, were

Allds	Cross	Hatch	Murphy	Smith J T
Axtell	Darrison	Hays	Paris	Snyder

Babcock	Davis	Henry	Post	Sprague
Baker	De Graw	Hitchcock	Roberts	Stoneman
Bedell	Doughty	Johnson	Rogers	Ten Eyck
Beede	Dutton	Kelley E E	Rowe	Thorn
Brewster	Ellis	Kelsey	Russell	Trainor
Bryan	Evarts	Lewis M E	Sage H M	Tripp
Burnett	Fallows	Litchard	Sandford	Vincent
Clark	Fish	Martin	Sands	Ware
Collier	Fordyce	Mason	Sawyer	West
Costello	Fowler	Mazet	Sears	Whipple
Cottle	Gale	McEwan	Slater	Wilson
Cotton	Graham	McMillan	Sloane C A	Witter
Cowles	Hallock	Miles		

Debate was had on the third reading of said bill when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 61 }

Those who voted in the affirmative, were

Allds	Cowles	Greenwood	McEwan	Slater
Axtell	Darrison	Hallock	McMillan	Sloane C A
Babcock	Davis	Hatch	Miles	Smith J T
Baker	De Graw	Hays	Murphy	Snyder
Bedell	Delaney	Henry	Palmer	Sprague
Beede	Dillon	Hitchcock	Paris	Stoneman
Brennan E C	Dutton	Johnson	Post	Ten Eyck
Brewster	Ellis	Kelley E E	Roberts	Thorn
Bryan	Evarts	Kelly G T	Rogers	Trainor
Burnett	Fallows	Kelsey	Rowe	Tripp
Clark	Fish	Lewis M E	Russell	Vincent
Collier	Fordyce	Litchard	Sandford	West
Costello	Fowler	Martin	Sands	Whipple
Cottle	Gale	Mason	Sawyer	Wilson
Cotton	Gleason	Mazet	Sears	Witter
Coughtry	Graham			

Those who voted in the negative, were

Ball	Gardiner	Kullman	Pickett	Schoeneck
Barrett	Gould	Maher	Poth	Sharkey
Bashford	Green	Mangin	Redington	Siems
Baum	Guider	McLuerney	Riedman	Sloane J J
Boland	Harburger	McKeown	Rierdon	Smith J E
Brennan J F	Heller	Meister	Roche	Streifler
Cain	Henderson	Meyer	Rodenbeck	Sullivan T P
Collins	Hill	Mohring	Sage H M	Sullivan W J
Cross	Hoffman	O'Connell	Sage S B	Torborg
Farrell	Hutton	O'Connor	Sanders	Ware
Finn	Juengst	Patton	Schmid A F	Wingenfeld
Fitzgerald	Kane	Phillips	Schmid F	Wissel
Gallagher				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dean	Hays	Miles	Schoeneck
Allds	De Graw	Heller	Mohring	Sears
Babcock	Delaney	Henderson	Murphy	Sharkey
Baker	Dillon	Henry	O'Connell	Siems
Barrett	Dutton	Hill	O'Connor	Slater
Bashford	Ellis	Hitchcock	Palmer	Sloane C A
Baum	Evarts	Hoffman	Paris	Sloane J J
Bedell	Farrell	Johnson	Patton	Smith J E
Beede	Finn	Juengst	Phillips	Smith J T
Brennan E C	Fish	Kane	Pickett	Snyder
Brennan J F	Fitzgerald	Kelly G T	Post	Sprague
Brewster	Fordyce	Kelsey	Redington	Stoneman
Bulkley	Fowler	Kullman	Riedman	Streifler
Clark	Gale	Lewis M E	Rierdon	Sullivan T P
Collier	Gallagher	Litchard	Roberts	Ten Eyck
Collins	Gardiner	Martin	Rodenbeck	Torborg
Costello	Gleason	Mason	Rowe	Trainor
Cottle	Gould	Mazet	Russell	Tripp
Cotton	Graham	McEwan	Sage H M	West
Coughtry	Green	McInerney	Sanders	Whipple
Cowles	Greenwood	McKeown	Sandford	Wingenfeld
Cross	Guider	McMillan	Sands	Wissel
Darrison	Harburger	Meister	Sawyer	Witter
Davis	Hatch	Meyer	Schmid F	

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Bryan, Hallock, Whipple, Burnett, Rogers, Fallows, Sabine, Costello, Axtell and Vincent, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Fish in the chair.

Mr. Speaker announced the special order, being the bill (No. 1495) entitled "An act in relation to the transfer of captains, sergeants, roundsmen and patrolmen of the police force of the city of New York." (Int. No. 1201).

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 69 }
{ NOES 66 }

Those who voted in the affirmative, were

Adler	Cottle	Gleason	Miles	Smith J T
Allds	Cotton	Graham	Murphy	Snyder
Axtell	Coughtry	Greenwood	Paris	Sprague
Babcock	Cowles	Hallock	Post	Stoneman
Baker	Cross	Hatch	Roberts	Ten Eyck
Bedell	Darrison	Hays	Rodenbeck	Thorn
Beede	De Graw	Hitchcock	Rogers	Tripp
Brennan E O	Dutton	Johnson	Russell	Vincent

Brewster	Ellis	Kelsey	Sabine	West
Bryan	Evarts	Lewis M E	Sandford	Whipple
Burnett	Fish	Litchard	Sands	Wilson
Clark	Fordyce	Mason	Sawyer	Witter
Collier	Fowler	Mazet	Sears	Speaker
Costello	Gardiner	McMillan	Sloane C A	

Those who voted in the negative, were

Ball	Finn	Hutton	O'Connor	Sharkey
Barrett	Fitzgerald	Juengst	Palmer	Siems
Bashford	Gallagher	Kane	Patton	Slater
Baum	Gould	Kelly G T	Phillips	Sloane J J
Boland	Green	Kullman	Poth	Smith J E
Brennan J F	Grossman	Mangin	Redington	Streifler
Bulkley	Guider	Martin	Rierdon	Sullivan T P
Cain	Harburger	McInerney	Roche	Sullivan W J
Collins	Heller	McKeown	Sage H M	Torborg
Davis	Henderson	Meister	Sanders	Trainor
Delaney	Henry	Meyer	Schmid A F	Ware
Dillon	Hill	Mohring	Schmid F	Wingenfeld
Fallows	Hoffman	O'Connell	Schoeneck	Wissel
Farrell				

Mr Cotton moved that the vote by which said bill was lost be reconsidered and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 1642) entitled "An act to define the size of small fruit packages." (Int. No. 98).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 138 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hays	Miles	Schoeneck
Allds	Dean	Heller	Murphy	Sears
Apgar	Delaney	Henderson	O'Connell	Sharkey

Axtell	Dillon	Henry	O'Connor	Siems
Babcock	Dutton	Hill	Palmer	Slater
Baker	Egan	Hitchcock	Paris	Sloane C A
Ball	Ellis	Hoffman	Phillips	Sloane J J
Barrett	Evarts	Hutton	Pickett	Smith J E
Bashford	Fallows	Johnson	Post	Smith J T
Bedell	Fancher	Juengst	Poth	Snyder
Beede	Farrell	Kane	Redington	Sprague
Boland	Finn	Kelley E E	Riedman	Stoneman
Brennan J F	Fitzgerald	Kelly G T	Rierdon	Streifler
Brewster	Fordyce	Kelsey	Roberts	Sullivan T P
Brown	Fowler	Kullman	Roche	Sullivan W J
Bryan	Gale	Lewis M E	Rodenbeck	Ten Eyck
Bulkley	Gallagher	Lewis T D	Rogers	Thorn
Cain	Gardiner	Litchard	Rowe	Torborg
Clark	Gleason	Mangin	Russell	Trainor
Collier	Gould	Martin	Sabine	Vincent
Collins	Graham	Mason	Sage H M	Ware
Costello	Green	Mazet	Sage S B	West
Cottle	Greenwood	McEwan	Sanders	Whipple
Cotton	Grossman	McInerney	Sandford	Wilson
Coughtry	Guider	McKeown	Sands	Wingenfeld
Cowles	Hallock	McMillan	Sawyer	Wissel
Cross	Harburger	Meister	Schmid A F	Witter
Darrison	Hatch	Meyer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order, being the bill (No. 1644) entitled "An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter." (Int. No. 559).

Said bill was read the third time.

On motion of Mr. Fordyce said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Sears
Axtell	De Graw	Hays	Murphy	Sharkey
Babcock	Delaney	Heller	O'Connell	Siems

Baker	Dillon	Henderson	Palmer	Slater
Ball	Doughty	Henry	Paris	Sloane C A
Barrett	Dutton	Hill	Patton	Sloane J J
Bashford	Ellis	Hitchcock	Phillips	Smith J E
Baum	Evarts	Hoffman	Pickett	Smith J T
Bedell	Fallows	Hutton	Post	Snyder
Beede	Farrell	Johnson	Redington	Sprague
Boland	Finn	Juengst	Riedman	Stoneman
Brennan J F	Fish	Kane	Rierdon	Streifler
Brewster	Fitzgerald	Kelley E E	Roberts	Sullivan T P
Bryan	Fowler	Kelly G T	Roche	Thorn
Bulkley	Gale	Kelsey	Rodenbeck	Torborg
Burnett	Gallagher	Kullman	Rogers	Trainor
Cain	Gardiner	Lewis M E	Rowe	Tripp
Clark	Gleason	Litchard	Russell	Vincent
Collier	Gould	Maher	Sabine	Ware
Collins	Graham	Mangin	Sage H M	West
Costello	Green	Mason	Sanders	Whipple
Cottle	Greenwood	Mazet	Sandford	Wilson
Cotton	Grossman	McEwan	Sands	Wissel
Cowles	Guider	McKeown	Sawyer	Witter
Cross	Hallock	McMillan	Schmid AF	129

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion and it was determined in the affirmative.

Mr. M. E. Lewis in the chair.

Mr. Speaker announced the special order, being the bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest." (Int. No. 175).

Said bill having been announced for a third reading,

Mr. Collier moved that said bill be recommitted to the committee on general laws, retaining its place on the order of second reading.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Collier, and it was determined in the negative.

{ AYES 49 }
{ NOES 84 }

Those who voted in the affirmative, were

Baker	Doughty	Hill	Paris	Slater
Bedell	Fallows	Hitchcock	Phillips	Smith J T
Brennan E O	Fish	Hutton	Redington	Snyder
Brewster	Gardiner	Johnson	Rodenbeck	Sprague
Collier	Graham	Kelley E E	Rowe	Stoneman
Cotton	Hallock	Lewis M E	Russell	Sullivan W J
Darrison	Hatch	Mason	Sabine	Thorn
Davis	Hays	Mazet	Sage H M	Tripp
De Graw	Heller	McEwan	Sandford	Wilson
Delaney	Henry	McMillan	Sawyer	

Those who voted in the negative, were

Adler	Costello	Grossman	O'Connell	Sharkey
Allds	Cottle	Harburger	O'Connor	Siems
Axtell	Cross	Henderson	Palmer	Sloane C A
Babcock	Dillon	Hoffman	Patton	Sloane J J
Ball	Dutton	Juengst	Pickett	Smith J E
Barrett	Ellis	Kane	Post	Streifler
Bashford	Evarts	Kelsey	Poth	Sullivan T P
Baum	Farrell	Kullman	Riedman	Torborg
Beede	Finn	Litchard	Rierdon	Trainor
Boland	Fitzgerald	Maher	Roberts	Vincent
Brennan J F	Fowler	Mangin	Roche	Ware
Bryan	Gale	Martin	Rogers	West
Bulkley	Gallagher	McKeown	Sanders	Whipple
Burnett	Gleason	Meister	Schmid A F	Wingenfeld
Cain	Gould	Meyer	Schmid F	Wissel
Clark	Green	Miles	Schoeneck	Witter
Collins	Greenwood	Murphy	Sears	

Mr. Fish moved to amend said bill as follows:

Page 2, line 18, strike out the word "six" and insert the word "five."

Page 3, line 7, after the word "time" insert the following: "provided, however, that it shall be lawful for any borrower to stipulate in writing for the payment of any rate of interest not exceeding six per centum per annum and for the lender to receive interest at the rate so stipulated."

Amend the title of the act so as to read as follows:

"An act to amend section fifty-five of chapter six hundred and eighty-nine of the laws of eighteen hundred and ninety-two, entitled 'An act in relation to banking corporations, constituting

chapter thirty-seven of the general laws,' and known as the banking law, and also section one title three of chapter four of part two of the revised statutes relating to the rate of interest."

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Fish, and it was determined in the negative.

{ AYES 59 }
{ NOES 73 }

Those who voted in the affirmative, were

Allds	Dutton	Hill	McMillan	Sawyer
Baker	Fallows	Hitchcock	Meyer	Slater
Bedell	Fish	Hutton	Paris	Sloane C A
Beede	Gardiner	Johason	Phillips	Smith J T
Brennan E C	Gleason	Kelley E E	Post	Sprague
Brewster	Graham	Kelly G T	Redington	Stoneman
Collier	Greenwood	Kelsey	Rodenbeck	Ten Eyck
Cowles	Hallock	Lewis M E	Rogers	Tripp
Darrison	Hatch	Litchard	Russell	Vincent
Davis	Hays	Mason	Sabine	Wilson
De Graw	Heller	Mazet	Sage H M	Witter
Doughty	Henry	McEwan	Sands	

Those who voted in the negative, were

Axtell	Cotton	Henderson	Patton	Sharkey
Babcock	Cross	Hoffman	Pickett	Siems
Ball	Dillon	Juengst	Poth	Sloane J J
Barrett	Ellis	Kane	Riedman	Smith J E
Bashford	Evarts	Kullman	Rierdon	Snyder
Baum	Farrell	Maher	Roberts	Streifler
Boland	Finn	Mangin	Roche	Sullivan T P
Brennan J F	Fitzgerald	Martin	Rowe	Thorn
Bryan	Fowler	McKeown	Sanders	Torborg
Bulkley	Gale	Meister	Sandford	Trainor
Burnett	Gallagher	Miles	Schmid A F	Ware
Cain	Gould	Murphy	Schmid F	West
Collins	Green	O'Connell	Schoeneck	Whipple
Costello	Grossman	O'Connor	Sears	Wingenfeld
Cottle	Harburger	Palmer		

Said bill was then read the second time.

On motion of Mr. Miles, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 669) entitled "An act to amend chapter 478 of the Laws of 1893, entitled 'An act to incorporate the city of Olean,' relating to the powers of the common council" (Rec. No. 156), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McInerney	Sanders
Allds	Davis	Harburger	McKeown	Sandford
Apgar	De Graw	Hatch	McMillan	Sawyer
Axtell	Delaney	Heller	Meister	Schmid F
Babcock	Dillon	Henderson	Miles	Schoeneck
Baker	Doughty	Henry	Mohring	Sharkey
Ball	Dutton	Hill	Murphy	Slater
Barrett	Egan	Hitchcock	O'Connell	Sloane J J
Bashford	Ellis	Hoffman	O'Connor	Smith J T
Bedell	Evarts	Hutton	Palmer	Sprague
Beede	Fancher	Johnson	Paris	Sullivan T P
Brennan E C	Farrell	Juengst	Phillips	Sullivan W J
Brennan J F	Finn	Kane	Pickett	Thorn
Brown	Fish	Kelley E E	Post	Torborg
Bryan	Fitzgerald	Kelly G T	Poth	Trainor
Bulkley	Fowler	Kelsey	Redington	Tripp
Cain	Gale	Kullman	Rierdon	Vincent
Clark	Gallagher	Lewis M E	Roberts	Ware
Collier	Gardiner	Lewis T D	Roche	West
Collins	Gould	Litchard	Rodenbeck	Whipple
Costello	Graham	Mangin	Rogers	Wilson
Cotton	Green	Martin	Rowe	Wingenfeld
Coughtry	Greenwood	Mason	Sabine	Wissel
Cowles	Grossman	Mazet	Sage H M	Witter
Cross	Guider	McEwan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 720) entitled "An act to divide the county of Cattaraugus into three school commissioner districts" (Rec. No. 157), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 110 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	Mazet	Sanders
Allds	Coughtry	Green	McEwan	Sandford
Apgar	Cowles	Greenwood	McInerney	Sands
Axtell	Cross	Grossman	McMillan	Sawyer
Babcock	Darrison	Guider	Meister	Schmid A F
Baker	Dean	Harburger	Meyer	Schoeneck
Ball	Delaney	Hatch	Mohring	Siems
Bashford	Dillon	Hays	Murphy	Slater
Baum	Doughty	Henderson	O'Connell	Sloane J J
Bedell	Dutton	Henry	Palmer	Smith J T
Beede	Egan	Hill	Patton	Sprague
Brennan E C	Evarts	Hoffman	Pickett	Streifler
Brennan J F	Fallows	Hutton	Post	Sullivan W J
Brewster	Fancher	Juengst	Redington	Ten Eyck
Brown	Farrell	Kelley E E	Riedman	Torborg
Bulkley	Finn	Kelsey	Roberts	Trainor
Burnett	Fitzgerald	Kullman	Roche	Tripp
Cain	Fordyce	Lewis M E	Rodenbeck	Ware
Clark	Gale	Lewis T D	Rowe	Whipple
Collier	Gallagher	Mangin	Russell	Wilson
Collins	Gardiner	Martin	Sage H M	Wissel
Costello	Gould	Mason	Sage S B	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 549) entitled "An act to authorize the Chautauqua Assembly to subscribe for and take stock in a corporation, known as the 'Chautauqua Press'" (Rec. No. 83), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	McInerney	Sawyer
Allds	Cross	Hatch	McKeown	Schmid A F
Apgar	Davis	Hays	McMillan	Schmid F
Axtell	Dean	Heller	Meister	Sears
Babcock	De Graw	Henderson	Miles	Sharkey
Baker	Dillon	Henry	Mohring	Siems
Ball	Doughty	Hill	O'Connell	Slater
Barrett	Dutton	Hitchcock	O'Connor	Sloane C A
Bashford	Ellis	Hoffman	Palmer	Smith J E
Baum	Evarts	Hutton	Paris	Smith J T
Bedell	Fancher	Johnson	Patton	Snyder
Beede	Farrell	Juengst	Phillips	Stoneman
Boland	Fish	Kelley E E	Pickett	Streifler
Brennan J F	Fordyce	Kelly G T	Poth	Sullivan T P
Brewster	Fowler	Kelsey	Redington	Sullivan W J
Brown	Gale	Kullman	Riedman	Ten Eyck
Bryan	Gallagher	Lewis M E	Rierdon	Torborg
Bulkley	Gardiner	Lewis T D	Roberts	Trainor
Cain	Gould	Litchard	Rodenbeck	Vincent
Clark	Graham	Mangin	Rogers	Ware
Collins	Green	Martin	Russell	West
Costello	Greenwood	Mason	Sage S B	Wilson
Cottle	Grossman	Mazet	Sanders	Wingenfeld
Cotton	Guider	McEwan	Sandford	Wissel
Coughtry	Hallock	McMillan	Sands	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 574) entitled "An act to facilitate the proving of the incorporation of new corporations formed by the consolidation of two or more corporations" (Rec. No. 177), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

The Senate bill (No. 521) entitled "An act to release the interest of the State of New York in certain real estate in the city of New York, to Julius Meier and Frederick Wachtel" (Rec. No. 95), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hays	Meyer	Schmid F
Allds	Darrison	Heller	Miles	Schoeneck
Apgar	Davis	Henderson	Mohring	Sears
Axtell	Dean	Henry	Murphy	Sharkey
Babcock	De Graw	Hill	O'Connell	Siems
Baker	Delaney	Hitchcock	O'Connor	Slater
Ball	Dillon	Hoffman	Paris	Sloane J J
Barrett	Dutton	Hutton	Patton	Smith J E
Bashford	Egan	Johnson	Phillips	Smith J T
Bedell	Evarts	Kane	Post	Snyder
Beede	Fallows	Kelley E E	Poth	Stoneman
Boland	Fancher	Kelly G T	Redington	Streifler
Brennan E	OFarrell	Kelsey	Riedman	Sullivan T P
Brennan J F	Fish	Kullman	Rierdon	Sullivan W J
Brewster	Fitzgerald	Lewis M E	Roberts	Ten Eyck
Brown	Fordyce	Lewis T D	Roche	Thorn
Bryan	Gale	Litchard	Rodenbeck	Torborg
Bulkley	Gallagher	Mangin	Rogers	Trainor
Cain	Gleason	Martin	Rowe	Tripp
Clark	Gould	Mason	Russell	Ware

Collier	Graham	Mazet	Sage H M	West
Collins	Green	McEwan	Sage S B	Whipple
Cottle	Greenwood	McInerney	Sanders	Wilson
Cotton	Grossman	McKeown	Sandford	Wissel
Coughtry	Guider	McMillan	Sawyer	Witter
Cowles	Hatch	Meister	Schmid A F	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker resumed the chair.

The bill (No. 1028) entitled "An act to make the office of coroner within the county of Steuben a salaried office, and to regulate the management of said office" (Int. No. 900), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Sands
Allds	Davis	Hatch	Meyer	Sawyer
Apgar	Dean	Hays	Miles	Schmid A F
Axtell	De Graw	Heller	Mohring	Schmid F
Babcock	Dillon	Henderson	Murphy.	Schoeneck
Baker	Doughty	Henry	O'Connell	Sears
Ball	Dutton	Hill	O'Connor	Siems
Barrett	Egan	Hitchcock	Palmer	Slater
Bashford	Ellis	Hoffman	Paris	Sloane J J
Baum	Evarts	Hutton	Patton	Smith J E
Redell	Fallows	Johnson	Phillips	Smith J T
Boland	Fancher	Juengst	Pickett	Sprague
Brennan E C	Farrell	Kelley E E	Post	Stoneman
Brennan J F	Finn	Kelly G T	Redington	Streifer
Brewster	Fish	Kelsey	Riedman	Sullivan T P
Brown	Fitzgerald	Kullman	Rierdon	Sullivan W J
Bryan	Fordyce	Lewis M E	Roberts	Ten Eyck
Bulkley	Fowler	Lewis T D	Roche	Thorn

Burnett	Gale	Litchard	Rodenbeck	Torborg
Cain	Gallagher	Mangin	Rogers	Tripp
Clark	Gardiner	Martin	Rowe	Ware
Collier	Gleason	Mason	Sabine	West
Collins	Gould	Mazet	Sage H M	Whipple
Cottle	Greenwood	McEwan	Sage S B	Wilson
Cotton	Grossman	McInerney	Sanders	Wissel
Coughtry	Guider	McKeown	Sandford	Witter
Cowles	Hallock	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1807) entitled "An act to amend chapter 253 of the Laws of 1887, relative to the investment of the trust funds of the Buffalo city cemetery" (Int. No. 837), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meister	Schmid A F
Allds	Darrison	Harburger	Meyer	Schmid F
Apgar	Davis	Hatch	Mohring	Schoeneck
Axtell	Dean	Hays	Murphy	Sears
Babcock	De Graw	Heller	O'Connell	Sharkey
Baker	Delaney	Henderson	O'Connor	Siems
Ball	Dillon	Hill	Palmer	Slater
Barrett	Dutton	Hitchcock	Paris	Sloane C A
Bashford	Egan	Hoffman	Patton	Sloane J J
Baum	Ellis	Hutton	Phillips	Smith J T
Bedell	Evarts	Johnson	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streifer
Brennan J F	Fish	Kelsey	Riedman	Sullivan T P
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan W J

Brown	Fordyce	Lewis M E	Roche	Ten Eyck
Bryan	Fowler	Lewis T D	Rodenbeck	Thorn
Bulkley	Gallagher	Litchard	Rogers	Torborg
Burnett	Gardiner	Mangin	Russell	Trainor
Cain	Gleason	Martin	Sabine	Vincent
Clark	Gould	Mason	Sage H M	Ware
Collier	Graham	Mazet	Sage S B	West
Collins	Green	McEwan	Sanders	Whipple
Costello	Greenwood	McInerney	Sandford	Wilson
Cotton	Grossman	McKeown	Sands	Wissel
Coughtry	Guider	McMillan	Sawyer	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1810) entitled "An act to amend chapter 747 of the Laws of 1896 " (Int. No. 1262), having been announced for a third reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1806) entitled "An act to amend the Election Law, relative to independent nominations " (Int. No. 1186), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McKeown	Sanders
Allds	Darrison	Guider	McMillan	Sandford
Apgar	Davis	Hallock	Meister	Sands
Axtell	Dean	Harburger	Meyer	Schmid A F
Babcock	De Graw	Hatch	Miles	Schmid F
Baker	Delaney	Hays	Mohring	Schoeneck
Ball	Dillon	Henderson	Murphy	Sharkey
Barrett	Doughty	Henry	O'Connell	Siems
Bashford	Dutton	Hill	O'Connor	Slater

Baum	Egan	Hitchcock	Paris	Sloane J J
Bedell	Ellis	Hoffman	Patton	Smith J E
Beede	Evarts	Hutton	Phillips	Smith J T
Brennan E C	Fallows	Johnson	Pickett	Sprague
Brennan J F	Farrell	Juengst	Poth	Stoneman
Brewster	Finn	Kane	Redington	Sullivan T P
Brown	Fish	Kelley E E	Riedman	Sullivan W J
Bryan	Fitzgerald	Kelly G T	Rierdon	Ten Eyck
Bulkley	Fordyce	Kelsey	Roberts	Thorn
Burnett	Fowler	Lewis M E	Roche	Torborg
Cain	Gale	Lewis T D	Rodenbeck	Trainor
Clark	Gallagher	Litchard	Rogers	Vincent
Collier	Gardiner	Mangin	Rowe	West
Collins	Gleason	Martin	Russell	Whipple
Costello	Gould	Mason	Sabine	Wilson
Cotton	Graham	Mazet	Sage H M	Wissel
Coughtry	Green	McEwan	Sage S B	Witter
Cowles	Greenwood	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1811) entitled "An act to amend the charter of the city of Rochester, and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements" (Int. No. 1169), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	De Graw	Hatch	Meister	Schmid A F
Allds	Delaney	Hays	Meyer	Schoeneck
Apgar	Dillon	Heller	Miles	Sears
Axtell	Doughty	Henderson	Mohring	Sharkey
Babcock	Dutton	Henry	Murphy	Slater
Baker	Egan	Hill	O'Connell	Sloane C A
Ball	Ellis	Hitchcock	O'Connor	Sloane J J

Barrett	Evarts	Hoffman	Palmer	Smith J E
Bashford	Fallows	Hutton	Paris	Smith J T
Baum	Fancher	Johnson	Phillips	Snyder
Beece	Farrell	Juengst	Pickett	Stoneman
Boland	Finn	Kane	Post	Streifler
Brennan E C	Fish	Kelley E E	Poth	Sullivan T P
Brewster	Fordyce	Kelsey	Redington	Sullivan W J
Brown	Fowler	Kullman	Riedman	Ten Eyck
Bulkley	Gale	Lewis M E	Rierdon	Thorn
Burnett	Gallagher	Lewis T D	Roberts	Torborg
Cain	Gardiner	Litchard	Rogers	Trainor
Clark	Gleason	Mangin	Rowe	Tripp
Collins	Graham	Martin	Russell	Vincent
Costello	Green	Mason	Sabine	Ware
Cottle	Greenwood	Mazet	Sage H M	West
Cotton	Grossman	McEwan	Sage S B	Whipple
Cowles	Guider	McInerney	Sanders	Wilson
Cross	Hallock	McKeown	Sandford	Wissel
Davis	Harburger	McMillan	Sawyer	Witter
Dean				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1812) entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (Int. No. 1063), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	McMillan	Sawyer
Allds	Cowles	Hallock	Meister	Schmid F
Apgar	Cross	Harburger	Meyer	Sears
Axtell	Darrison	Hatch	Miles	Sharkey
Babcock	Davis	Hays	Mohring	Siems
Baker	Dean	Henderson	Murphy	Slater
Ball	Delaney	Henry	O'Connell	Sloane C A
Barrett	Dillon	Hill	O'Connor	Sloane J J

Bashford	Doughty	Hitchcock	Palmer	Smith J E
Baum	Dutton	Hoffman	Paris	Smith J T
Bedell	Egan	Hutton	Phillips	Snyder
Beede	Ellis	Johnson	Pickett	Sprague
Boland	Fallows	Juengst	Post	Streifler
Brennan E C	Fancher	Kane	Poth	Sullivan T P
Brennan J F	Farrell	Kelly G T	Riedman	Sullivan W J
Brewster	Fish	Kelsey	Rierdon	Ten Eyck
Brown	Fitzgerald	Kullman	Roberts	Thorn
Bryan	Fordyce	Lewis M E	Roche	Torborg
Bulkley	Fowler	Lewis T D	Rodenbeck	Trainor
Burnett	Gallagher	Litchard	Rowe	Tripp
Cain	Gardiner	Mangin	Russell	Vincent
Clark	Gleason	Martin	Sabine	Ware
Collier	Gould	Mason	Sage S B	Whipple
Collins	Graham	Mazet	Sanders	Wilson
Costello	Green	McEwan	Sandford	Wingenfeld
Cottle	Greenwood	McInerney	Sands	Wissel
Cotton	Grossman	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1825) entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws,' relative to licenses" (Int. No. 1237), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McEwan	Sanders
Allds	Cowles	Greenwood	McInerney	Sandford
Apgar	Cross	Grossman	McKeown	Sawyer
Axtell	Darrison	Guider	McMillan	Schmid A F
Babcock	Davis	Hallock	Meister	Schmid F
Baker	Dean	Harburger	Meyer	Schoeneck

Ball	De Graw	Hatch	Miles	Sharkey
Barrett	Delaney	Heller	Mohring	Siems
Bashford	Dillon	Henderson	Murphy	Sloane C A
Baum	Doughty	Henry	O'Connell	Sloane J J
Beede	Dutton	Hill	O'Connor	Smith J E
Boland	Ellis	Hitchcock	Palmer	Smith J T
Brennan E	CEvarts	Hoffman	Patton	Snyder
Brennan J	FFallows	Johnson	Pickett	Sprague
Brewster	Fancher	Juengst	Post	Streifler
Brown	Farrell	Kane	Poth	Sullivan T P
Bryan	Finn	Kelly G T	Redington	Sullivan W J
Bulkley	Fish	Kelsey	Riedman	Thorn
Burnett	Fitzgerald	Kullman	Rierdon	Torborg
Cain	Fordyce	Lewis M E	Roberts	Trainor
Clark	Fowler	Lewis T D	Roche	Vincent
Collier	Gallagher	Litchard	Rodenbeck	Ware
Collins	Gardiner	Mangin	Rowe	West
Costello	Gleason	Martin	Russell	Whipple
Cottle	Gould	Mason	Sabine	Wissel
Cotton	Graham	Mazet	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1791) entitled "An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture" (Int. No. 1372), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meister	Schmid F
Allds	Cowles	Hallock	Miles	Schoeneck
Apgar	Cross	Harburger	Mohring	Sears
Axtell	Darrison	Hatch	Murphy	Siems
Babcock	Dean	Hays	O'Connell	Slater
Baker	De Graw	Henderson	Palmer	Sloane C A

Ball	Dillon	Henry	Paris	Sloane J J
Barrett	Doughty	Hill	Patton	Smith J E
Bashford	Dutton	Hitchcock	Phillips	Smith J T
Baum	Egan	Hoffman	Pickett	Snyder
Bedell	Ellis	Hutton	Poth	Stoneman
Beede	Evarts	Johnson	Redington	Streifler
Boland	Fallows	Juengst	Rierdon	Sullivan T P
Brennan E C	Fancher	Kelley E E	Roberts	Sullivan W J
Brennan J F	Farrell	Kelly G T	Roche	Ten Eyck
Brewster	Finn	Kelsey	Rodenbeck	Thorn
Brown	Fish	Kullman	Rogers	Torborg
Bryan	Fitzgerald	Lewis M E	Rowe	Trainor
Bulkley	Fordyce	Lewis T D	Russell	Tripp
Burnett	Fowler	Mangin	Sabine	Vincent
Cain	Gale	Martin	Sage H M	Ware
Clark	Gardiner	Mason	Sanders	West
Collier	Gleason	Mazet	Sandford	Wilson
Collins	Gould	McEwan	Sands	Wingenfeld
Costello	Graham	McKeown	Sawyer	Wissel
Cottle	Green	McMillan	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 850) entitled "An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State" (Int. No. 766), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	McKeown	Sandford
Allds	Cross	Greenwood	McMillan	Sands
Apgar	Darrison	Grossman	Meister	Sawyer
Axtell	Davis	Guider	Meyer	Schmid F
Babcock	Dean	Hallock	Miles	Schoeneck
Baker	De Graw	Harburger	Mohring	Sharkey

Ball	Delaney	Hatch	Murphy	Siems
Barrett	Dillon	Hays	O'Connor	Sloane C A
Bashford	Doughty	Heller	Palmer	Sloane J J
Baum	Dutton	Henry	Paris	Smith J T
Bedell	Egan	Hill	Patton	Snyder
Beede	Ellis	Hoffman	Pickett	Sprague
Boland	Evarts	Hutton	Post	Stoneman
Brennan E C	Fallows	Juengst	Poth	Streifler
Brennan J F	Fancher	Kane	Redington	Sullivan T P
Brewster	Farrell	Kelley E E	Riedman	Ten Eyck
Brown	Finn	Kelsey	Rierdon	Torborg
Bryan	Fish	Kullman	Roberts	Trainor
Bulkley	Fitzgerald	Lewis M E	Roche	Tripp
Burnett	Fordyce	Lewis T D	Rodenbeck	Vincent
Cain	Fowler	Litchard	Rogers	West
Clark	Gale	Mangin	Rowe	Whipple
Collins	Gallagher	Martin	Russell	Wilson
Costello	Gardiner	Mason	Sage H M	Wingenfeld
Cottle	Gleason	Mazet	Sage S B	Wissel
Cotton	Gould	McEwan	Sanders	Witter
Coughtry	Graham	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 79) entitled "An act providing for the construction of a foot bridge over the Erie canal on Brainard street, in the village of Whitesboro, Oneida county, New York, and making an appropriation therefor" (Int. No. 79), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sandford
Allds	Cross	Grossman	McKeown	Sands
Apgar	Darrison	Guider	McMillan	Sawyer
Axtell	Davis	Hallock	Meister	Schmid A F

Babcock	Dean	Harburger	Meyer	Schmid F
Baker	De Graw	Hatch	Miles	Schoeneck
Ball	Delaney	Hays	Mohring	Sears
Barrett	Dillon	Heller	Murphy	Sharkey
Bashford	Doughty	Henderson	O'Connell	Siems
Baum	Dutton	Henry	O'Connor	Slater
Bedell	Egan	Hill	Palmer	Sloane C A
Beede	Ellis	Hitchcock	Patton	Sloane J J
Boland	Evarts	Hoffman	Phillips	Smith J E
Brennan EC	Fallows	Hutton	Pickett	Smith J T
Brennan J F	Fancher	Johnson	Post	Snyder
Brewster	Farrell	Kane	Poth	Sprague
Brown	Finn	Kelley E E	Redington	Streifler
Bryan	Fish	Kelly G T	Riedman	Sullivan T P
Bulkley	Fitzgerald	Kelsey	Rierdon	Ten Eyck
Burnett	Fordyce	Kullman	Roberts	Thorn
Cain	Fowler	Lewis M E	Roche	Trainor
Clark	Gale	Lewis T D	Rogers	Vincent
Collier	Gallagher	Litchard	Rowe	Ware
Collins	Gardiner	Mangin	Russell	West
Costello	Gleason	Martin	Sabine	Whipple
Cottle	Gould	Mason	Sage H M	Wingenfeld
Cotton	Graham	Mazet	Sage S B	Wissel
Coughtry	Green	McEwan	Sanders	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 803) entitled "An act to reappropriate money for the completion of the State armory in the village of Malone, and making an additional appropriation therefor" (Int. No. 738), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McKeown	Sandford
Allds	Cowles	Grossman	McMillan	Sands
Apgar	Cross	Guider	Meister	Sawyer

Axtell	Darrison	Hallock	Meyer	Schmid A F
Babcock	Davis	Harburger	Miles	Schmid F
Baker	Dean	Hatch	Murphy	Schoeneck
Ball	De Graw	Hays	O'Connell	Sears
Barrett	Delaney	Heller	O'Connor	Sharkey
Bashford	Dillon	Henderson	Palmer	Slater
Baum	Doughty	Henry	Paris	Sloane C A
Bedell	Dutton	Hill	Patton	Sloane J J
Beede	Egan	Hitchcock	Phillips	Smith J E
Boland	Ellis	Hutton	Pickett	Smith J T
Brennan E C	Evarts	Juengst	Post	Snyder
Brennan J F	Fallows	Kane	Poth	Stoneman
Brewster	Fancher	Kelley E E	Redington	Streifler
Brown	Farrell	Kelsey	Riedman	Sullivan W J
Bryan	Finn	Kullman	Rierdon	Thorn
Bulkley	Fitzgerald	Lewis M E	Roberts	Torborg
Burnett	Fordyce	Lewis T D	Roche	Trainor
Cain	Fowler	Litchard	Rodenbeck	Tripp
Clark	Gale	Mangin	Rogers	Ware
Collier	Gallagher	Martin	Russell	Whipple
Collins	Gleason	Mason	Sabine	Wingenfeld
Costello	Gould	Mazet	Sage H M	Wissel
Cottle	Graham	McEwan	Sage S B	Witter
Cotton	Green	McInerney	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1368) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims, in claims arising on account of the canals of this State" (Int. No. 1111), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	McMillan	Sanders
Allds	Cross	Greenwood	Meister	Sands
Apgar	Darrison	Grossman	Meyer	Sawyer

Axtell	Davis	Guider	Miles	Schmid A F
Babcock	Dean	Hallock	Mohring	Schmid F
Baker	De Graw	Harburger	Murphy	Schoeneck
Ball	Delaney	Hatch	O'Connell	Sears
Barrett	Dillon	Hays	O'Connor	Sharkey
Bashford	Doughty	Henderson	Palmer	Slater
Baum	Dutton	Henry	Paris	Sloane A C
Bedell	Egan	Hill	Patton	Sloane J J
Beede	Ellis	Hoffman	Phillips	Smith J E
Boland	Evarts	Johnson	Pickett	Snyder
Brennan E C	Fallows	Juengst	Post	Sprague
Brennan J F	Fancher	Kelley E E	Poth	Streifler
Brewster	Farrell	Kelly G T	Redington	Sullivan T P
Brown	Finn	Kelsey	Riedman	Sullivan W J
Bryan	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roberts	Thorn
Burnett	Fordyce	Lewis T D	Roche	Torborg
Clark	Fowler	Mangin	Rodenbeck	Trainor
Collier	Gale	Martin	Rogers	Tripp
Collins	Gallagher	Mason	Rowe	Ware
Costello	Gardiner	Mazet	Russell	Whipple
Cottle	Gleason	McEwan	Sabine	Wingenfeld
Cotton	Gould	McInerney	Sage H M	Wissel
Coughtry	Graham	McKeown	Sage S B	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1816) entitled "An act to amend the Village Law, in relation to sales for the non-payment of taxes" (Int. No. 894), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	Meister	Sands
Allds	Cross	Hatch	Meyer	Sawyer
Apgar	Davis	Heller	Miles	Schmid A F
Axtell	Dean	Henderson	Mohring	Schmid F

Babcock	De Graw	Henry	O'Connell	Schoeneck
Baker	Delaney	Hill	O'Connor	Sears
Ball	Dillon	Hitchcock	Palmer	Sharkey
Barrett	Doughty	Hoffman	Paris	Siems
Bashford	Dutton	Hutton	Patton	Slater
Bedell	Egan	Johnson	Phillips	Sloane C A
Beede	Ellis	Juengst	Pickett	Sloane J J
Boland	Evarts	Kane	Post	Smith J E
Brennan E C	Fallows	Kelly G T	Poth	Smith J T
Brennan J F	Fancher	Kelsey	Redington	Snyder
Brewster	Fish	Kullman	Riedman	Stoneman
Brown	Fitzgerald	Lewis M E	Rierdon	Streifler
Bryan	Fordyce	Lewis T D	Roberts	Sullivan T P
Bulkley	Gale	Litchard	Roche	Sullivan W J
Burnett	Gallagher	Mangin	Rodenbeck	Ten Eyck
Cain	Gardiner	Martin	Rogers	Thorn
Clark	Gould	Mason	Rowe	Trainor
Collier	Graham	Mazet	Sabine	Tripp
Collins	Green	McEwan	Sage H M	Ware
Costello	Greenwood	McInerney	Sage S B	Whipple
Cottle	Grossman	McKeown	Sanders	Wingenfeld
Cotton	Hallock	McMillan	Sandford	Wissel
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1556) entitled "An act making an appropriation for the State Custodial Asylum for Feeble-Minded Women at Newark, N. Y." (Int. No. 1225), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Murphy	Sears
Axtell	De Graw	Heller	O'Connell	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems

Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Post	Smith J T
Bedell	Fallows	Juengst	Poth	Snyder
Beede	Fancher	Kelley E E	Redington	Stoneman
Brennan E C	Farrell	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brewster	Fish	Kullman	Roche	Sullivan W J
Brown	Fitzgerald	Lewis M E	Rodenbeck	Ten Eyck
Bryan	Fordyce	Lewis T D	Rogers	Thorn
Bulkley	Gale	Litchard	Rowe	Torborg
Burnett	Gallagher	Mangin	Russell	Trainor
Cain	Gardiner	Martin	Sabine	Tripp
Clark	Gleason	Mason	Sage H M	Vincent
Collier	Gould	Mazet	Sage S B	Ware
Collins	Graham	McEwan	Sanders	Whipple
Costello	Green	McInerney	Sandford	Wilson
Cotton	Greenwood	McKeown	Sands	Wingenfeld
Coughtry	Grossman	McMillan	Sawyer	Wissel
Cowles	Guider	Meister	Schmid A F	Witter
Cross	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1738) entitled "An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county" (Int. No. 1330), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 131 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McInerney	Sandford
Allds	Cowles	Grossman	McKeown	Sawyer
Apgar	Cross	Guider	McMillan	Schmid F
Axtell	Darrison	Hallock	Meister	Schoeneck

Babcock	Davis	Harburger	Miles	Sears
Baker	Dean	Hatch	Mohring	Sharkey
Ball	De Graw	Hays	Murphy	Siems
Barrett	Delaney	Heller	O'Connell	Slater
Bashford	Doughty	Henry	O'Connor	Sloane C A
Baum	Dutton	Hill	Palmer	Sloane J J
Bedell	Egan	Hitchcock	Paris	Smith J E
Beede	Evarts	Hoffman	Patton	Snyder
Boland	Fallows	Hutton	Phillips	Sprague
Brennan E C	Fancher	Juengst	Pickett	Stoneman
Brennan J F	Finn	Kelley E E	Post	Streifler
Brewster	Fish	Kelly G T	Poth	Sullivan T P
Brown	Fitzgerald	Kelsey	Riedman	Ten Eyck
Bryan	Fordyce	Kullman	Rierdon	Thorn
Bulkley	Fowler	Lewis M E	Roberts	Torborg
Burnett	Gale	Lewis T D	Rodenbeck	Tripp
Cain	Gallagher	Litchard	Rogers	Vincent
Clark	Gardiner	Mangin	Rowe	West
Collier	Gleason	Martin	Russell	Whipple
Collins	Gould	Mason	Sabine	Wilson
Costello	Graham	Mazet	Sage S B	Wingenfeld
Cottle	Green	McEwan	Sanders	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1529) entitled "An act to ratify and legalize the franchise and agreement granted and made by and between the common council of the city of Rome, N. Y., and the Rome City Street Railway Company" (Int. No. 1242), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Hallock	McKeown	Sands
Allds	Cowles	Harburger	McMillan	Sawyer
Appar	Darrison	Hatch	Meister	Schmid A F

Axtell	Davis	Hays	Meyer	Schmid F
Babcock	Dean	Henderson	Miles	Sears
Baker	Delaney	Henry	Mohring	Sharkey
Ball	Dillon	Hill	Murphy	Siems
Barrett	Doughty	Hitchcock	O'Connell	Slater
Bashford	Egan	Hoffman	Palmer	Sloane C A
Baum	Ellis	Hutton	Paris	Sloane J J
Bedell	Fallows	Johnson	Patton	Smith J T
Beede	Fancher	Juengst	Phillips	Snyder
Boland	Farrell	Kane	Post	Sprague
Brennan E C	Finn	Kelley E E	Poth	Streifler
Brennan J F	Fish	Kelly G T	Redington	Sullivan T P
Brewster	Fitzgerald	Kelsey	Riedman	Sullivan W J
Bryan	Fordyce	Kullman	Rierdon	Ten Eyck
Bulkley	Gale	Lewis M E	Roberts	Thorn
Burnett	Gallagher	Lewis T D	Rodenbeck	Torborg
Cain	Gardiner	Litchard	Rogers	Trainor
Clark	Gleason	Mangin	Rowe	Vincent
Collier	Gould	Martin	Russell	Ware
Collins	Graham	Mason	Sabine	Whipple
Costello	Green	Mazet	Sage H M	Wilson
Cottle	Greenwood	McEwan	Sage S R	Wingenfeld
Cotton	Grossman	McInerney	Sanders	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1606) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to powers and duties of protectors and foresters" (Int. No. 1260), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 2 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	Mangin	Rodenbeck
Allds	Coughtry	Green	Martin	Rowe
Apgar	Cowles	Greenwood	Mason	Sabine
Axtell	Cross	Grossman	Mazet	Sanders

Babcock	Darrison	Guider	McEwan	Sandford
Baker	Davis	Hallock	McInerney	Sands
Ball	Dean	Harburger	McKeown	Sawyer
Barrett	De Graw	Hatch	McMillan	Schmid A F
Bashford	Delaney	Hays	Meyer	Schmid F
Baum	Dillon	Heller	Miles	Schoeneck
Bedell	Doughty	Henderson	Mohring	Sears
Beede	Dutton	Henry	Murphy	Siems
Boland	Egan	Hill	O'Connell	Slater
Brennan E C	Ellis	Hitchcock	O'Connor	Smith J E
Brennan J F	Fallows	Hoffman	Palmer	Smith J T
Brown	Fancher	Hutton	Paris	Snyder
Bryan	Farrell	Johnson	Patton	Sprague
Bulkley	Finn	Juengst	Phillips	Stoneman
Burnett	Fish	Kane	Pickett	Streifler
Cain	Fitzgerald	Kelley E E	Redington	Ten Eyck
Clark	Fowler	Kelsey	Riedman	Torborg
Collier	Gale	Kullman	Rierden	Tripp
Collins	Gallagher	Lewis M E	Roberts	Ware
Costello	Gardiner	Lewis T D	Roche	Wingefeld
Cottle	Gleason			

Those who voted in the negative, were
Post Sage H M

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 886) entitled "An act legalizing certain expenditures made by the board of education of the city of Yonkers prior to the first day of July, in the year 1897" (Int. No. 798), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McKeown	Sanders
Allds	Cross	Hallock	McMillan	Sandford
Apgar	Darrison	Harburger	Meister	Sands
Axtell	Davis	Hatch	Meyer	Schmid A F

Babcock	Dean	Hays	Mohring	Schmid F
Baker	De Graw	Heller	Murphy	Schoeneck
Ball	Delaney	Henderson	O'Connell	Sears
Barrett	Dillon	Henry	O'Connor	Sharkey
Bashford	Doughty	Hill	Palmer	Siems
Baum	Dutton	Hitchcock	Paris	Slater
Bedell	Egan	Hoffman	Patton	Sloane C A
Beede	Ellis	Hutton	Phillips	Sloane J J
Boland	Evarts	Johnson	Pickett	Smith J E
Brennan E C	Fallows	Kane	Post	Snyder
Brennan J F	Fancher	Kelley E E	Poth	Stoneman
Brewster	Farrell	Kelly G T	Redington	Streifler
Brown	Finn	Kelsey	Redman	Sullivan W J
Bryan	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roberts	Torborg
Burnett	Fordyce	Lewis T D	Roche	Tripp
Cain	Gale	Litchard	Rodenbeck	Vincent
Clark	Gallagher	Mangin	Rogers	Ware
Collier	Gardiner	Martin	Rowe	Whipple
Collins	Gleason	Mason	Russell	Wilson
Costello	Gould	Mazet	Sabine	Wingenfeld
Cottle	Graham	McEwan	Sage H M	Wissel
Cotton	Green	McInerney	Sage S B	Witter
Coughtry	Greenwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1283) entitled "An act to release to Charles S. Daily all the right, title and interest of the people of the State of New York in and to certain real estate in Islip, Suffolk county, N. Y." (Int. No. 1070), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Harburger	McMillan	Sands
Allds	Cowles	Hatch	Meister	Sawyer
Apgar	Cross	Hays	Meyer	Schmid A F

Axtell	Davis	Heller	Miles	Schmid F
Babcock	Dean	Henderson	Mohring	Schoeneck
Baker	De Graw	Henry	Murphy	Sears
Ball	Delaney	Hill	O'Connor	Sharkey
Barrett	Dillon	Hitchcock	Palmer	Siems
Bashford	Dutton	Hoffman	Paris	Slater
Baum	Egan	Hutton	Patton	Sloane C A
Bedell	Evarts	Juengst	Pickett	Smith J E
Beede	Fancher	Kane	Post	Smith J T
Boland	Farrell	Kelley E E	Poth	Sprague
Brennan E C	Fish	Kelly G T	Redington	Stoneman
Brennan J F	Fitzgerald	Kelsey	Riedman	Streifler
Brewster	Fordyce	Kullman	Rierdon	Sullivan T P
Brown	Gale	Lewis M E	Roberts	Sullivan W J
Bryan	Gallagher	Lewis T D	Roche	Ten Eyck
Bulkley	Gardiner	Litchard	Rogers	Thorn
Burnett	Gleason	Mangin	Rowe	Tripp
Cain	Gould	Martin	Russell	Vincent
Clark	Graham	Mason	Sabine	Ware
Collier	Green	Mazet	Sage H M	Whipple
Collins	Greenwood	McEwan	Sage S B	Wilson
Costello	Grossman	McInerney	Sanders	Wissel
Cottle	Guider	McKeown	Sandford	Witter
Cotton	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 291) entitled "An act to amend chapter 249 of the Laws of 1864, entitled 'An act to amend an act entitled An act to provide for the incorporation of villages passed December 7, 1847, and the several acts amendatory thereof so far as the same relate to the village of New Rochelle, in the county of Westchester'" (Rec. No. 172), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meister	Sandford
Allds	Darrison	Harburger	Meyer	Sands
Apgar	Davis	Hatch	Miles	Sawyer
Axtell	Dean	Heller	Mohring	Schmid A F
Babcock	De Graw	Henderson	Murphy	Schmid F
Baker	Delaney	Hill	O'Connell	Schoeneck
Ball	Dillon	Hitchcock	O'Connor	Sears
Barrett	Doughty	Hoffman	Palmer	Sharkey
Baum	Dutton	Hutton	Paris	Siems
Bedell	Egan	Johnson	Phillips	Slater
Beede	Evarts	Juengst	Pickett	Sloane C A
Boland	Fallows	Kane	Post	Sloane J J
Brennan E O	Fancher	Kelley E E	Poth	Smith J E
Brennan J F	Farrell	Kelly G T	Redington	Smith J T
Brewster	Finn	Kelsey	Riedman	Snyder
Brown	Fitzgerald	Kullman	Rierdon	Sprague
Bryan	Fordyce	Lewis M E	Roberts	Stoneman
Bulkley	Fowler	Lewis T D	Roche	Streifler
Burnett	Gale	Litchard	Rodenbeck	Sullivan T P
Cain	Gallagher	Mangin	Rogers	Ten Eyck
Clark	Gleason	Martin	Rowe	Thorn
Collins	Gould	Mason	Russell	Tripp
Costello	Graham	Mazet	Sabine	Ware
Cottle	Green	McEwan	Sage H M	Whipple
Cotton	Greenwood	McInerney	Sage S B	Wingenfeld
Coughtry	Grossman	McKeown	Sanders	Wissel
Cowles	Guider	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 845) entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto" (Rec. No. 158), having been announced for a third reading,

On motion of Mr. Allds, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 661) entitled "An act making an appropriation for expenses incurred in the department of public buildings and for the maintenance of such department until September 30, 1899" (Rec. No. 103); was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 2 }

Those who voted in the affirmative, were

Adler	Davis	Hallock	McKeown	Sandford
Allds	Dean	Harburger	McMillan	Sands
Apgar	De Graw	Hatch	Meister	Sawyer
Axtell	Delaney	Hays	Miles	Schmid A F
Babcock	Doughty	Heller	Mohring	Schmid F
Baker	Dutton	Henry	Murphy	Schoeneck
Ball	Egan	Hill	O'Connell	Sears
Barrett	Ellis	Hitchcock	Paris	Sharkey
Bashford	Fallows	Hoffman	Patton	Slater
Baum	Fancher	Hutton	Phillips	Sloane C A
Bedell	Farrell	Johnson	Pickett	Sloane J J
Boland	Finn	Juengst	Post	Smith J E
Brennan E C	Fish	Kelley E E	Poth	Smith J T
Brennan J F	Fitzgerald	Kelly G T	Redington	Sprague
Brewster	Fordyce	Kelsey	Riedman	Stoneman
Brown	Fowler	Kullman	Rierdon	Streifler
Bryan	Gale	Lewis M E	Roberts	Ten Eyck
Bulkley	Gallagher	Lewis T D	Roche	Thorn
Burnett	Gleason	Litchard	Rodenbeck	Tripp
Clark	Gould	Mangin	Rogers	Vincent
Collins	Graham	Martin	Rowe	West
Costello	Green	Mason	Russell	Whipple
Cotton	Greenwood	Mazet	Sabine	Wingenfeld
Coughtry	Grossman	McEwan	Sage H M	Wissel
Cross	Guider	McInerney	Sage S B	Witter
Darrison				

Those who voted in the negative, were

Palmer Trainor

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1822) entitled "An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records" (Int. No. 1379), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Henry	Mohring	Schmid F
Allds	De Graw	Hill	O'Connell	Schoeneck
Apgar	Delaney	Hitchcock	O'Connor	Sears
Axtell	Dillon	Hoffman	Palmer	Sharkey
Babcock	Doughty	Hutton	Paris	Siems
Baker	Dutton	Johnson	Patton	Slater
Ball	Ellis	Juengst	Pickett	Sloane C A
Barrett	Evarts	Kelley E E	Post	Sloane J J
Baum	Fancher	Kelly G T	Poth	Smith J E
Bedell	Farrell	Kelsey	Redington	Smith J T
Beede	Fish	Kullman	Riedman	Snyder
Boland	Fitzgerald	Lewis M E	Rierdon	Sprague
Brennan J F	Fordyce	Lewis T D	Roberts	Stoneman
Brewster	Gale	Litchard	Roche	Streifler
Brown	Gallagher	Mangin	Rodenbeck	Sullivan T P
Bulkley	Gleason	Martin	Rogers	Sullivan W J
Burnett	Gould	Mason	Rowe	Ten Eyck
Cain	Graham	Mazet	Russell	Thorn
Clark	Green	McEwan	Sabine	Trainor
Collins	Grossman	McInerney	Sage H M	Tripp
Costello	Guider	McKeown	Sage S B	Vincent
Cottle	Hallock	McMillan	Sanders	West

Coughtry	Harburger	Meister	Sands	Wilson
Cowles	Hatch	Meyer	Sawyer	Wissel
Cross	Heller	Miles	Schmid A F	Witter
Darrison	Henderson			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	De Graw	Henderson	Murphy	Schmid A F
Axtell	Dillon	Henry	O'Connell	Schoeneck
Babcock	Doughty	Hill	O'Connor	Sears
Baker	Dutton	Hitchcock	Palmer	Sharkey
Ball	Ellis	Hoffman	Paris	Siems
Bashford	Evarts	Hutton	Patton	Slater
Bedell	Fallows	Johnson	Phillips	Sloane C A
Beede	Farrell	Kelley E E	Pickett	Smith J E
Boland	Fish	Kelsey	Post	Smith J T
Brennan E C	Fitzgerald	Kullman	Poth	Snyder
Brennan J F	Fordyce	Lewis M E	Redington	Sprague
Brewster	Fowler	Litchard	Riedman	Streifler
Bryan	Gale	Maher	Rierdon	Sullivan W J
Bulkley	Gallagher	Mangin	Roberts	Thorn
Cain	Gardiner	Martin	Rodenbeck	Torborg
Clark	Gleason	Mazet	Rogers	Trainor
Collins	Graham	McEwan	Rowe	Tripp
Costello	Greenwood	McInerney	Russell	Vincent
Cottle	Guider	McKeown	Sage H M	Ware
Cotton	Hallock	McMillan	Sanders	West
Cowles	Harburger	Meister	Sandford	Whipple
Cross	Hatch	Meyer	Sands	Wilson
Darrison	Hays	Miles	Sawyer	Witter
Davis	Heller			

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Mr. Gould, who, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1835) entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in said city" (Int. No. 1409), having been announced for a third reading,

On motion of Mr. Gardiner, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

The bill (No. 1824) entitled "An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, and legalizing elections thereunder" (Int. No. 1224), having been announced for a third reading,

Mr. Hatch moved that said bill be recommitted to the committee on excise, with instructions to report the same forthwith amended as follows:

Page 6, after line 26 insert the words "but not before the first day of May next following such vote."

Strike out section 2 and insert the following:

"§ 2. Section thirty-four is hereby amended by adding thereto a new subdivision to be known as subdivision six and to read as follows:

"Subdivision 6. Whenever any fine is imposed upon conviction for violation of any provision of the liquor tax law, the judgment in such case must provide that the person thus fined be imprisoned until the fine is satisfied, which imprisonment cannot exceed one day for every dollar of the fine, nor be less than one day for every five dollars of the fine."

Add a new section to read as follows:

"§ 3. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Greenwood, from the committee on excise, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. McEwan called up the bill (No. 1311) entitled "An act to amend the Banking Law" (Int. No. 379), heretofore laid aside on the order of third reading,

Mr. McEwan moved to take from the table the motion to reconsider the vote by which said bill was lost.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Meyer	Schmid F
Allds	Davis	Hays	Miles	Sears
Apgar	Dean	Heller	Mohring	Sharkey
Axtell	De Graw	Henderson	Murphy	Siems
Babcock	Dillon	Henry	O'Connell	Slater
Baker	Doughty	Hill	O'Connor	Sloane C A
Ball	Dutton	Hitchcock	Paris	Sloane J J
Barrett	Ellis	Hoffman	Patton	Smith J E
Bashford	Evarts	Johnson	Phillips	Smith J T
Baum	Fallows	Juengst	Pickett	Snyder
Bedell	Fancher	Kelley E E	Poth	Sprague
Beede	Farrell	Kelly G T	Redington	Stoneman
Boland	Fish	Kelsey	Riedman	Streifler
Brennan J F	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brewster	Fordyce	Lewis M E	Roberts	Sullivan W J
Brown	Fowler	Lewis T D	Roche	Ten Eyck.
Bulkley	Gale	Litchard	Rodenbeck	Thorn
Burnett	Gallagher	Mangin	Rogers	Torborg
Cain	Gardiner	Martin	Russell	Trainor
Clark	Gleason	Mason	Sabine	Tripp
Collier	Gould	Mazet	Sage H M	Vincent
Costello	Graham	McEwan	Sage S B	West
Cottle	Green	McInerney	Sanders	Whipple
Cotton	Greenwood	McKeown	Sandford	Wilson
Coughtry	Grossman	McMillan	Sands	Wingenfeld
Cowles	Guider	Meister	Sawyer	Witter
Cross	Hallock			

Said bill having been announced for a third reading.

On motion of Mr. McEwan, said bill was laid aside, retaining its place on the order of third reading.

By unanimous consent, Mr. Rogers called up the bill (No. 1242) entitled "An act to amend the 'Tax Law,' constituting chapter 24 of the general laws, and the acts amendatory thereof, relative to the taxation of certain corporations" (Int. No. 1053), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading.

On motion of Mr. Rogers, said bill was recommitted to the committee on taxation and retrenchment, retaining its place on the order of second reading.

Pursuant to notice, Mr. Guider called up the bill (No. 1726) entitled "An act in relation to the construction and alteration of elevators and elevator shafts in hotels of three stories in height or over" (Int. No. 244), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. Guider, said bill was recommitted to the committee on general laws, retaining its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Fish, Int. No. 1420, entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' as amended by chapter 131 of the Laws of 1886, and as amended by chapter 82 of the Laws of 1894, and as amended by chapter 661 of the Laws of 1895, and as amended by chapter 25 of the Laws of 1897, and as amended by chapter 45 of the Laws of 1899" (No. 1896), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Fish, from the committee on general laws, to which was

referred the bill introduced by Mr. O'Connell, Int. No. 382, entitled "An act to provide for a safe repository for mechanics' tools" (No. 397), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, after the word "section 1" insert the following words "in cities of the first and second class."

Same page, line 6, after the word "erection" insert the following words "or in some convenient place on the same premises."

Same page, line 9, after the word "employed" insert the following words "which box or place shall be in charge of a watchman to be kept on said premises."

Same page and line, after the word "employed" strike out the words "and the said contractor."

Same page, strike out lines 10 and 11.

Page 2, strike out lines 1, 2 and 3.

Same page, line 6, after the word "thereof" strike out the word "and," and insert the word "in" in place thereof.

Page 2, line 8, after the word "tools" strike out the rest of the line, also lines 9 and 10 same page.

Same page, line 12, after the word "within" strike out the word "thirty" and insert the word "sixty" in place thereof.

Same page, line 15, after the word "not" strike out the words "less than" and insert the word "exceeding" in place thereof.

Same page, line 18, after the word "effect" strike out the word "March" and insert "May" in place thereof.

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Bedell, Int. No. 516, entitled "An act to amend section 52 of the Banking Law relative to stockholders, as amended by chapter 441 of the Laws of 1897" (No. 1326), retaining its place on the order of second reading, reported in favor of the passage of the same, with the following amendment:

Page 2, line 18, after the word "section" insert the following words "upon payment to the plaintiff of his costs, reasonable disbursements and allowances to that time to be taxed and allowed by the court or under its direction."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Collins, Int. No. 1096, entitled "An act to regulate the use of bicycles, tricycles and similar vehicles, and to require uniformity of ordinance affecting the same" (No. 1651), reported in favor of the passage of the same with the following amendments:

Page 1, line 1, after the word "cities" strike out the word "towns" and insert the word "town;" also after the word "town" insert the words "boards in towns;" also after the word "villages" insert the words "of this state."

Same page, line 4, strike out the words "squares and" and insert in place thereof the word "walk;" also after the word "park" insert the words "and public places."

Same page, line 7, strike out the words "in use" and insert the word "ridden" in place thereof; also after the word "avenues" insert the word "walks;" also after the word "or" insert the word "public."

Same page, lines 7 and 8, after the word "have" insert the words "attached thereto or carried therewith."

Same page, line 9, after the word "ahead" strike out the words "attached thereto."

Page 2, line 2, after the word "rider" insert the words "whose light has been extinguished or who is necessarily absent from his or her home without a light."

Same page, line 6, after the word "require" insert the words "rider of."

Same page, line 8, after the word "distance" insert the words "when about to meet or pass pedestrians and when about to meet or pass other vehicles."

Same page, line 12, after the word "other" insert the word "similar."

Same page, line 15, after the word "age" insert the words "upon bicycles."

Same page, lines 16 and 17, strike out words "shall apply to vehicles used for the purpose of carrying passengers and their personal luggage" and insert in place thereof the words "are established by the highway law."

Same page, line 22, strike out the word "ways" and insert in place thereof the words "streets or highways."

Same page, line 23, after the word "and" strike out the word "may."

Page 3, line 8, after the word "constructed" insert the word "solely."

Same page, line 15, after the word "village" insert the words "or by the owners of the abutting lands."

Same page, line 21, after the word "every" insert the word "person;" also in place of the word "violation" insert in place thereof "violating" and strike out the word "of."

Same page, line 22, strike out the words "render the offender subject to" and insert in place thereof the words "be punished by."

Same page, line 23, after the word "offense" insert the words "and in case of the non-payment of such fines by imprisonment in the county jail not exceeding one day for each dollar of such fine in the discretion of the court or the magistrate."

Page 4, line 5, after the word "or" insert the words "of any;" also strike out letter "s" on the word "by-laws."

Same page, line 10, after the word "or" insert the word "any;" also strike out letter "s" on the word "ordinances;" also after the word "ordinance" insert the words "or by-law."

Same page, line 12, after the word "aforesaid" insert the following words: "As security for the appearance of such rider before the most convenient court or magistrate in said city, village or town having jurisdiction of the offense, to be specified by said officers at a time to be fixed by him not less than one day and such security shall be forthwith delivered by such officer to such court or magistrate in case the person mentioned shall fail to appear and answer to such charge at the time so specified or such other time to which the matter shall have been adjourned, such security shall be forfeited and if money, shall be disposed of in the same manner as other fines are disposed of by such court or magistrate, and if a bicycle or similar vehicle may be sold under the direction of such court or magistrate at public sale, upon six days notice posted in three public places of such city, town or village and served personally or by mail upon the person who tendered the same and five dollars of the money received upon such sale, disposed of in the same manner as other fines collected by such court or magistrate and the remainder of the money received upon such sale paid to the owner of such bicycle or other vehicle on demand."

Page 4, line 13, strike out the lines 13, 14, 15, 16, 17 and 18.

Same page, make section 4 of bill read as follows: "This act shall take effect immediately."

Same page, omit section 5.

ROBERT J. FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 178, entitled "An act to authorize the board of estimate and apportionment of the city of New York to provide for the payment for the services rendered to the city of Brooklyn in the county of Kings (now forming part of the city of New York, under and by virtue of chapter 378 of the Laws of 1894), by the volunteer firemen of the towns of Flatbush, Flatlands, New Utrecht and Gravesend, respectively, annexed to said former city of Brooklyn, by chapters 356, 450, 451 and 449 of the Laws of 1894, after such respective annexation" (No. 866), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. C. A. Sloane, Int. No. 1354, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers" (No. 1776), retaining its place on the order of second reading, reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter six hundred and fifteen of the laws of eighteen hundred and ninety-four, entitled "An act to revise the charter of the city of Elmira," relative to ward boundaries and the election of city officers.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section two of chapter six hundred and fifteen of the laws of eighteen hundred and ninety-four, entitled "An act to revise the charter of the city of Elmira" is hereby amended to read as follows:

§ 2. The said city shall be divided into twelve wards, respectively as follows:

First ward. All that part of said city lying north of the centre line of the Chemung river, west of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western

Railroad Company, and south of the centre line of Church street, shall be the first ward.

Second ward. All that part of said city lying north of the centre line of the Chemung river, east of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, and south of the centre line of Church street, shall be the second ward.

Third ward. All that part of said city lying north of the centre line of Church street west of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, and south of the centre line of Clinton street, and the centre line thereof continued, shall be the third ward.

Fourth ward. All that part of said city lying north of the centre line of Church street east of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, and south of the centre line of Fifth street and the centre line thereof continued, shall be the fourth ward.

Fifth ward. All that part of said city lying north of the centre line of Clinton street and the centre line thereof continued west of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, and south of the centre line of Washington avenue and the centre line thereof continued, shall be the fifth ward.

Sixth ward. All that part of said city lying north of the centre line of Fifth street and the centre line thereof continued, east of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company and south of the following designated lines, to wit: the centre line of Carpenter street and the centre line of its extension easterly, the centre line of Oak street from its intersection with the centre line of Carpenter street to its intersection with the centre line of Maxwell place, the centre line of Maxwell place and its extension westerly to its intersection with the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, shall be the sixth ward.

Seventh ward. All that part of said city lying north of the centre line of Washington avenue and the centre line thereof continued, and west of the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, shall be the seventh ward.

Eighth ward. All that part of said city lying north of the following designated lines, to wit: the centre line of Carpenter street and the centre line of its extension easterly, the centre line of Oak street from its intersection with the centre line of Carpenter

street to its intersection with the centre line of Maxwell place; the centre line of Maxwell place and its extension westerly to the centre line of the main tracks of the railroad of the New York, Lake Erie and Western Railroad Company, and lying east of the centre line of the main tracks of the New York, Lake Erie and Western Railroad Company, shall be the eighth ward.

Ninth ward. All that part of said city lying south of the centre line of the Chemung river east of the centre line of South Main street, and north of the centre line of Pennsylvania avenue from its intersection with the centre line of South Main street to its intersection with the center line of West La France street, the centre line of West La France street, the centre line of East La France street, the centre line of Falck street, from its intersection with the centre line of East La France street to its intersection with the centre line of Horner street, Horner street and its extension easterly to the centre line of the Chemung river, shall be the ninth ward.

Tenth ward. All that part of said city lying south of the center line of the Chemung river, west of the center line of South Main street and north of the center line of Franklin street and of the center line of Pennsylvania avenue from its intersection with the center line of Franklin street to its intersection with the center line of South Main street shall be the tenth ward.

Eleventh ward. All that part of said city lying south of the following designated lines to wit: The center line of Pennsylvania avenue from its intersection with the center line of South Main street to its intersection with the center line of West La France street; the center line of West La France street, the center line of East La France street, the center line of Falck street, from its intersection with the center line of East La France street to its intersection with the centre line of Horner street, the centre line of Horner street, and its extension easterly to the centre line of the Chemung river, and lying east of the centre line of South Main street shall be the eleventh ward.

Twelfth ward. All that part of said city lying south of the center line of Franklin street and the center line of Pennsylvania avenue from its intersection with the center line of Franklin street to its intersection with the center line of South Main street, and west of the center line of South Main street, shall be the twelfth ward.

§ 2. Section five of said act, as amended by chapter three hundred and seventy-one of the laws of eighteen hundred and ninety-five, is hereby amended to read as follows:

§ 5. An election for city officers shall be held annually on the first Tuesday of March in each year, at such places as shall be

designated by the common council. A notice of such election shall be published at least six consecutive days next prior thereto in at least two of the principal daily newspapers printed in said city. There shall be chosen thereat by the electors of the city, voting in their respective wards and districts, whenever the term of an incumbent is about to expire, one mayor, who shall hold his office for two years; one recorder, who shall hold his office for four years; one city judge, who shall hold his office for four years; four constables, who shall hold their office for one year; and also by the electors of each ward for such ward, one alderman who shall hold his office for two years and on the first Tuesday of March nineteen hundred and each alternate year thereafter one supervisor who shall hold his office for two years. For the purpose of providing for the election of the additional aldermen required by this act, it is further provided that each alderman in office at the time this act takes effect shall be an alderman until the expiration of the term of office for which he was elected of the new ward in which he shall then reside. At the annual election on the first Tuesday in March, nineteen hundred, there shall be chosen by the electors of each ward in which there shall be no alderman at the time, one alderman for the term of two years and one alderman for the term of one year; and in each ward in which there shall be one alderman at the time, one alderman for two years; and in each ward in which there shall be two aldermen at the time, there shall not be at said election, any election for alderman. At each succeeding annual election after the annual election to be held on the first Tuesday in March, nineteen hundred, there shall be elected in each ward, one alderman for the term of two years, excepting in such wards as shall have, at the time of said next succeeding annual election no alderman, in which case there shall be an election of one alderman for the term of one year, and of one alderman for the term of two years and at the second annual election after the first Tuesday in March, nineteen hundred, and at each annual election thereafter, there shall be elected in each ward, one alderman for the term of two years.

§ 3. This act shall take effect immediately.

ROBERT MAZET,

Chairman.

Mr. Palmer.—I desire to move to recommit this bill, for the reason that the bill has never been introduced into this House in its present form.

The Speaker.—The Chair understands that the ruling of the

temporary Speaker was that the bill should be referred back to the committee for the purpose of correction. Am I not right?

Mr. Kelsey.—That is as I recollect it. The motion was made by the majority leader.

Mr. Palmer.—There was no motion made in this House and carried that it be returned for the purpose of correction. It was returned by the ruling of the Chair to the committee.

Mr. Allds.—I think that if the gentleman will let his mind run back to last night he will recall that the leader of the majority made a motion that the bill be recommitted. The acting Speaker put that question and it was duly carried and the bill was returned to the committee. It was with no expression; it was simply returned to the committee. It was within the province of the committee to do as it saw fit.

Mr. Kelsey.—It was something like this: A point of order was made that the bill was improperly before the House. The Chair held that it was improperly printed. The gentleman stated that it was improperly before the House and the Chair stated that he did not so hold. There was some little conversation and the majority leader then moved, and I asked if there was a motion before the House, to recommit the bill. I put that question and declared it carried.

Mr. Palmer.—I now rise to a point of order that the bill is not properly before the House and is improperly reported. The bill was not properly underscored and bracketed. I now raise the point that when a bill of that kind is presented to the House that under the rule of the House it must be returned to the introducer.

The Speaker.—The Chair holds that the bill having been once referred to a committee that it is the duty of that committee to see that when the bill comes here it is correct. A member has the right to assume that when his bill is reported by a committee it is in correct form. The Chair would state that he will hold upon those propositions, as to points of order in the future, that if a bill is improperly printed it shall be returned to the desk to see that it is correctly printed. If the error be that of a committee, and the bill is not properly underscored, or the title is not

in proper form, that bill shall go back to the committee from whence it came for correction. The gentleman's point of order is not well taken.

Mr. Palmer.—I desire a ruling on the point of order as to whether or not when a bill is not properly bracketed and underscored it should be returned to the introducer under the rules. I desire to know if that rule can be violated.

The Speaker.—No member is responsible for any failure on the part of the desk. If his bill is not returned he has a right to assume that it is correct.

Mr. Palmer.—Every member about this circle has a right to assume that the Clerk's desk will do as the rule says it must. And when that rule is violated I think the Speaker should insist that they perform their duties as described.

The Speaker.—The Chair does not believe it would be fair to return a bill to a member which had been here for a long time and had had one or two hearings and had been on the calendar once or twice, upon a point of order of this kind. The desk should see that when the bills are introduced the titles are correct. It is practically impossible for the desk to make a comparison when a bill is presented to learn what law it proposes to amend. That is the business of the committees; and the committees should see to it that those amendments are underscored and that the eliminated matter is bracketed.

Mr. Palmer.—The new matter should be underscored and the eliminated matter bracketed. If that is not complied with the bill should be returned to the introducer. I claim that that rule has not been complied with.

The Speaker.—The Chair desires to make himself plain upon that proposition. I will hold that when a bill is accepted and referred to a committee that it shall not be stricken from the calendar. Many of the members are not familiar with this rule; and in cases where a bill has been accepted and hearings have been had the Chair does not believe it fair to strike that bill from the calendar. But I will insist, upon all occasions, that bills that

are not in proper form shall be returned to the committees for the purpose of correction.

Mr. Palmer.—That would be the introduction of a new bill.

The Speaker.—Oh, no; the bill has been sent to the committee for correction. The journal shows that upon the motion last night the bill was sent to the committee for the purpose of correction.

Mr. Palmer.—I desire to raise the point of order that no legal bill, under the rules of this House, has been introduced into this House. An illegal bill is before us that has no standing and it cannot be amended.

The Speaker.—The Chair cannot hold with the gentleman on that proposition. The introducer introduced the bill in good faith. His bill has followed the ordinary course of bills. The committee that reported the bill should have seen that it was in proper form before reporting it in the first instance.

Said report was then agreed to, and said substitute bill ordered printed and restored to its place on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Goodsell, Rec. No. 173, entitled "An act to legalize the official acts of the assessors of the village of South Nyack" (No. 429), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fancher, from the committee on Indian affairs, to which was referred the bill introduced by Mr. Ellis, Int. No. 1433, entitled "An act to amend the Indian Law, in relation to the sale of gypsum on Tonawanda reservation" (No. 1930), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1493) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department" (Int. No. 1199), reported in favor of the passage of the same, without recommendation,

which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 484) entitled "An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the city of New York (The German Policlinic of the city of New York) from taxation'" (Int. No. 464), reported the same with the following recommendations:

Page 2, line 2, after the word "derived" insert a comma.

Same page, line 3, after the word "rents" insert a comma.

Same page, line 9, add the letter "s" to the word "purpose."

Amend the title so as to read as follows:

"An act to amend section one of chapter six hundred and thirty-nine of the laws of eighteen hundred and ninety-two, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the city of New York (The German Policlinic of the city of New York) from taxation,' relative to the value of the property so exempted."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1741) entitled "An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (Int. No. 1333), reported the same with the following recommendations:

Page 1, line 1, strike out the following: "The executive law" and insert the following after section 1: "Article six of chapter six hundred and eighty-three of the laws of eighteen hundred and ninety-two, entitled 'An act in relation to executive officers, constituting chapter nine of the general laws.'" "

Same page, same line, after the word "adding" insert the words "at the end thereof."

Same page, line 2, after the words "six" strike out comma and insert the word "and."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1190) entitled "An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' in relation to the powers thereof" (Int. No. 1021), reported the same with the following recommendations:

Page 1, line 8, after the word "buy" insert in brackets the word "hold."

Page 2, line 17, after the word "thereby" strike out semicolon and insert a period.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1215) entitled "An act to amend chapter 18 of the general laws, known as the County Law, being chapter 686 of the Laws of 1892, with respect to coroners, and to add an additional section to said chapter" (Int. No. 1032), reported the same with the following recommendations:

Page 1, lines 1 and 2, strike out the following words: "Chapter eighteen of the general laws, known as the county law, being."

Same page, line 2, before the word "chapter" insert the following words: "Article nine of."

Same page, line 3, after the word "ninety-two" insert the following words: "entitled 'An act in relation to counties, constituting chapter eighteen of the general laws.'"

Same page, line 4, strike out the word "additional" and insert in place thereof the words "a new."

Same line, after the word "section" insert the following words: "to be known as section one hundred and ninety-one and."

Page 2, line 4, after the word "sheriff" insert a comma. Same line, after the word "performs" insert a comma.

Amend title so as to read as follows:

"An act to amend chapter six hundred and eighty-six of the Laws of eighteen hundred and ninety-two, entitled 'An act in relation to counties, constituting chapter eighteen of the general laws,' relative to coroners."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1316) entitled "An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation" (Int. No. 126), reported the same with the following recommendations:

Page 1, line 1, before the word "section" insert the following words "Section 1."

Same page, line 2, after the word "ninety-eight" insert the following words: "entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon.'"

Same page, line 4, strike out the word "section" and insert the "sign."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1690) entitled "An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Aetna Fire Company of Fort Covington, New York,' to purchase a site for, and to erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance" (Int. No. 1291), reported the same with the following recommendations:

Page 2, line 4, after the word "two" insert a comma.

Same page, line 9, after the word "sale" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was

referred the bill (No. 236) entitled "An act to amend chapter 414 of the Laws of 1897, known as the 'Village Law' (Int. No. 236), reported the same, with the following recommendations:

Page 1, line 2, after the word "ninety-seven" insert the words "entitled 'An act in relation to villages, constituting chapter twenty-one of the general laws.'"

Same page, line 3, strike out all of the quotation marks.

Page 2, line 13, strike out the following: "§ 2."

Also, amend the title so as to read as follows: "An act to amend chapter four hundred and fourteen of the laws of eighteen hundred and ninety-seven, entitled 'An act in relation to villages, constituting chapter twenty-one of the general laws,' relative to publishing notices of elections."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation" (Int. No. 356), reported the same with the following recommendations:

Page 1, line 1, after the word "owned" insert a comma.

Same page, line 2, after the word "acquired" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bill, reported as correctly printed and engrossed the bills entitled as follows:

"An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house, and to authorize the purchase of a site for, and the erection thereon of, a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof." (No. 1673, Int. No. 1273.)

"An act to legalize, ratify and confirm the election of the trus-

tees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof." (No. 1675, Int. No. 1275.)

"An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Aetna Fire Company of Fort Covington, N. Y.' to purchase a site for, and to erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance." (No. 1690, Int. No. 1291.)

"An act to exempt the real estate of the Young Men's Hebrew Association from taxation." (No. 366, Int. No. 356.)

"An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department." (No. 1493, Int. No. 1199.)

"An act to amend chapter 677 of the Laws of 1894." (No. 1833, Int. No. 1217.)

"An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county, and advertising said sales." (No. 1830, Int. No. 1300.)

"An act to amend the Penal Code by inserting therein four new sections, to be known as sections 337a, 337b, 337c and 337d, relating to gambling machines, apparatus or devices, commonly known as slot machines." (No. 1885, Int. No. 831.)

"An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relating to ineligibility of county treasurers in the county of Niagara." (No. 1888, Int. No. 1154.)

"An act to amend the Banking Law, relative to statements by co-operative savings and loan associations." (No. 1887, Int. No. 879.)

"An act to amend the Railroad Law, relative to grade crossings." (No. 1886, Int. No. 710.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through East Main street, in the city of Rochester, from Goodman street to the Culver road, upon property benefited thereby." (No. 1883, Int. No. 1145.)

"An act to amend the Fisheries, Game and Forest Law, relative to fishing in Raritan bay." (No. 1809, Int. No. 448.)

"An act to amend section 2 of chapter 644 of the Laws of 1897, entitled 'An act relative to the opening of a public place situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York,' relative to damages awarded by the commissioners of estimate and assessment." (No. 1829, Int. No. 886.)

"An act to amend the charter of the city of Rochester, in relation to local improvements." (No. 1827, Int. No. 1168.)

"An act to authorize the paving or macadamizing of streets, avenues, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same." (No. 1834, Int. No. 1248.)

"An act to amend chapter 469 of the Laws of 1898, entitled 'An act to protect navigation in certain tide waters within the State of New York,' relative to the diversion of water by municipal corporations." (No. 1831, Int. No. 1044.)

"An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employees of the various cities and counties of the State,' relating to villages." (No. 1828, Int. No. 791.)

"An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings." (No. 1826, Int. No. 1089.)

A communication from the Governor was received and read in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, *March 24, 1899.*

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1406, entitled "An act for the protection of quail in the county of Montgomery." (Int. No. 530.)

THEODORE ROOSEVELT.

The Senate returned the bill (No. 1459) entitled "An act to authorize the Astoria Light, Heat and Power Company, of Queens

county, to supply gas and electricity conducted under and across the waters separating the boroughs of Queens, Manhattan and the Bronx, in the city of New York" (Int. No. 558), with a message that they have non-concurred in the passage of the same.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same:

"An act to authorize the board of trustees in the village of Catskill to issue bonds and sell the same, and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village." (No. 1340, Int. No. 1100.)

"An act to amend chapter 157 of the Laws of 1883, entitled 'An act to enforce the collection of taxes levied in the county of Jefferson,' relating to the publication of notices of sale of real estate." (No. 577, Int. No. 543.)

"An act for the relief of laborers and merchants who have furnished labor and material in enlarging, repairing and furnishing the armory of the Thirty-first Separate Company at Mohawk, N. Y." (No. 953, Int. No. 846.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Lyell avenue, in the city of Rochester, upon property benefited thereby." (No. 1655, Int. No. 1147.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street, in the city of Rochester, from the Erie canal to Clarissa street, upon property benefited thereby." (No. 1656, Int. No. 1148.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Exchange street, in the city of Rochester, from Main street to the Erie canal, on the property benefited thereby." (No. 1657, Int. No. 1149.)

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through West Main street in the city of Rochester, from Fitzhugh street to

the Erie canal, upon the property benefited thereby." (No. 1658, Int. No. 1150.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Rochester.

"An act to amend chapter 360 of the Laws of 1897, entitled 'An act to incorporate the city of Geneva,' relative to conduits." (No. 1762, Int. No. 1340.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Geneva.

"An act to amend 'The Greater New York Charter,' relative to the Municipal Court." (No. 1452, Int. No. 297.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to authorize the city of Cohoes to borrow money by the issue of bonds for the payment of the expenses, audits and charges of the public improvement commission of the city of Cohoes organized and created by chapter 904 of the Laws of 1896 and of the public improvement commission of the city of Cohoes organized and created under chapter 227 of the Laws of 1898." (No. 1173, Int. No. 1004.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Cohoes.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 819, entitled "An act providing that the fire commissioner of the city of New York, in his discretion, may reappoint John D. Dalrymple, an ex-fireman of the city of New York, who resigned from said New York Fire Department May 1, 1887" (Int. No. 293), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Wm. C. Elmendorf, mayor of the city of Ithaca, returning Assembly bill No. 498, entitled "An act to amend chapter 162 of the Laws of 1895, entitled 'An act to provide for the construction and maintenance of a system of sewerage in the city of Ithaca,' in relation to the bond of the treasurer" (Int. No. 478), with a message that said mayor,

and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles C. Duryee, mayor of the city of Schenectady, returning Assembly bill No. 1049, entitled "An act to amend an act passed May 31, 1895, being chapter 832 of the Laws of 1895, entitled 'An act to amend an act entitled An act to amend and consolidate the several acts relative to the city of Schenectady passed April 21, 1862, and the several acts amendatory thereof'" (Int. No. 916), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

A communication was received from Hon. Charles C. Duryee, mayor of the city of Schenectady, returning Assembly bill No. 1048, entitled "An act to make the mayor of the city of Schenectady, ex-officio a member of the board of managers and of the executive committee of the Hospital Association of the city of Schenectady, a corporation created under and in pursuance of the laws of the State of New York" (Int. No. 915), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mazet gave notice that on Wednesday, March 29, he would call up Assembly bill No. 753, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate notices are to be advertised" (Int. No. 691), the same having been laid aside on the order of third reading.

Mr. Mazet gave notice that on Wednesday, March 29, he would call up the Assembly bill No. 1581, entitled "An act to amend

‘The Greater New York Charter’ relating to the board of pharmacy” (Int. No. 215), the same having been laid aside on the order of third reading.

Mr. C. A. Sloane offered for the consideration of the House a resolution, in the words following:

Resolved, That there be printed three thousand copies of the Governor’s message, delivered March 27, 1899, relating to the subject of taxation, to be distributed among the members of this body.

Said resolution was referred to the committee on public printing.

Mr. Allds, from the committee on rules, reported in favor of the adoption of the following:

The resolution following rule 54 and heretofore considered as a part of rule 54, is hereby repealed.

A compliance with the said resolution or with rule 55 so far as relates to the title of any bill shall be deemed a compliance with the rules of the Assembly.

Rule 55. Every bill introduced shall by its title briefly indicate the purpose of the proposed law.

The titles of all bills proposing amendments to any of the codes; to chapter 378 of the Laws of 1897, being The Greater New York Charter; or to any chapter of the revised general laws; shall quote the descriptive name and the section of the code, or the short title and section of the general law, and contain some brief reference to the subject matter of the proposed amendment.

The title of every bill proposing amendment to any existing law other than such as is hereinbefore enumerated must contain the number of the chapter of the statute to be amended and the year in which it was enacted, together with some brief reference to the subject-matter of the proposed amendment.

Every bill amending existing law must in the body of the bill have all new matter printed underscored, and all matter to be eliminated by amendment from existing law must be printed in its proper place in the bill enclosed in black-faced brackets.

Mr. Speaker put the question whether the House would agree to said report, and it was decided in the affirmative.

By unanimous consent,

Mr. Palmer introduced a bill entitled “An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon” (Int. No. 1466), which was read the first time.

On motion of Mr. Palmer, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on banks.

By unanimous consent,

Mr. Phillips introduced a bill entitled "An act to lay out and establish a park in the Twentieth Ward of the borough of Manhattan of the city of New York, to be known as Hamilton Park, and for the improvement thereof" (Int. No. 1467), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Doughty introduced a bill entitled "An act to amend chapter 686 of the Laws of 1894, entitled 'An act for the preservation of macadamized public highways in Queens county,' in relation to railroads on Greenwich street in the village of Hempstead, county of Nassau" (Int. No. 1469), which was read the first time.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Mazet introduced a bill entitled "An act to further amend chapter 27 of the Laws of 1875, entitled 'An act to designate the holidays to be observed in the acceptance and payment of bills of exchange, bank checks and promissory notes as amended by chapter 30 of the Laws of 1881, chapter 289 of the Laws of 1887, and chapter 603 of the Laws of 1895, designating June 14th as Flag Day'" (Int. No. 1468), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Costello introduced a bill entitled "An act to incorporate 'The Oswego Masonic Temple Association of the city of Oswego, New York'" (Int. No. 1463), which was read the first time.

On motion of Mr. Costello, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on general laws.

By unanimous consent,

Mr. Costello introduced a bill entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws'" (Int. No. 1464), which was read the first time and referred to the committee on labor and industries.

By unanimous consent,

Mr. Slater introduced a bill entitled "An act to provide for the organization of the General Carriage Company" (Int. No. 1465), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Redington introduced a bill entitled "An act empowering the comptroller of the city of New York to cancel the assessment laid upon the real estate of the First Methodist Episcopal Church of North New York in the city of New York, for the paving of East 141st street, between Willis and Brook avenues, in the city of New York" (Int. No. 1460), which was read the first time.

On motion of Mr. Redington, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Redington introduced a bill entitled "An act exempting for a certain period, religious corporations in the Twenty-third and Twenty-fourth wards of the city of New York from all assessments for public improvements" (Int. No. 1461), which was read the first time and referred to the committee on charitable and religious societies.

By unanimous consent,

Mr. Hill introduced a bill entitled "An act providing for the appointment of inspectors and superintendents by commissioners of fire, water, light, sewers and cemeteries in villages, and confirming appointments already made" (Int. No. 1454), which was read the first time, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. West introduced a bill entitled "An act to provide for the disposal of the sewerage of the village of Saratoga Springs, N. Y." (Int. No. 1462), which was read the first time.

On motion of Mr. West, and by unanimous consent said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of villages.

By unanimous consent,

Mr. West introduced a bill entitled "An act authorizing the directors of the Port Henry Iron Ore Company, of Lake Champlain, to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence of said company" (Int. No. 1456), which was read the first time and referred to the committee on general laws.

By unanimous consent.

Mr. Patton introduced a bill entitled "An act to amend chapter 562 of the Laws of 1890, entitled 'An act to revise the charter of the village of Alden'" (Int. No. 1458), which was read the first time and referred to the committee on affairs of villages.

By unanimous consent.

Mr. Patton introduced a bill entitled "An act to authorize the town of Grand Island, in the county of Erie, to raise moneys for the purpose of securing a means of access by bridge from said town across the water of Niagara river to the main land, and to issue its bonds therefore" (Int. No. 1457), which was read the first time and referred to the committee on internal affairs.

By unanimous consent.

Mr. M. E. Lewis introduced a bill entitled "An act to amend the Fisheries, Game and Forest Law in relation to taking deleterious fish from public waters" (Int. No. 1455), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent.

Mr. A. F. Schmid introduced a bill entitled "An act to amend section 57 of chapter 688, Laws of 1892, as amended by chapter 932, Laws of 1896, in relation to building and loan associations

and other certain corporations in liquidation " (Int. No. 1459), which was read the first time and referred to the committee on banks.

Mr. Allds, from the committee on rules, offered for the consideration of the house a resolution, in the words following:

Resolved, That hereafter all speeches will be limited to five minutes, and no member shall speak more than once on the same question.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

On motion of Mr. Allds, the House adjourned.

WEDNESDAY MARCH 29, 1899.

The House met pursuant to adjournment.

Prayer by Rev. M. Schlesinger.

On motion of Mr. Bulkley, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Adler introduced a bill entitled "An act to provide for the consolidation of the Educational Alliance and the Hebrew Free School Association, and to define the powers of the consolidated corporation " (Int. No. 1470), which was read the first time and referred to the committee on public education.

Mr. Delaney introduced a bill entitled "An act to authorize an appropriation for the equipment and maintenance of the Syracuse Museum of Fine Arts in the city of Syracuse, N. Y." (Int. No. 1471), which was read the first time and referred to the committee on affairs of cities.

Mr. Fordyce introduced a bill entitled "An act entitled 'An act for the protection and improvement of the purity of the waters of the State and conferring additional powers on the State Board of Health ' " (Int. No. 1472), which was read the first time and referred to the committee on public health.

Also, a bill entitled "An act entitled 'An act making an appropriation for expenses incurred by the State Board of Health in making investigations and experiments looking to the protection and improvement of the purity of the waters of the State'" (Int. No. 1473), which was read the first time and referred to the committee on ways and means.

Mr. Gallagher introduced a bill entitled "An act in relation to Fourth avenue, in the Borough of Brooklyn, city of New York" (Int. No. 1474), which was read the first time and referred to the committee on affairs of cities.

Mr. Hoffman (by request) introduced a bill entitled "An act to amend section 145 of the Code of Civil Procedure" (Int. No. 1475), which was read the first time and referred to the committee on codes.

Mr. Maher introduced a bill entitled "An act for the protection of the public health and to prevent the use of certain poison in snuff and tobacco" (Int. No. 1476), which was read the first time and referred to the committee on public health.

Mr. A. F. Schmidt introduced a bill entitled "An act to provide for the taxation of certain contrivances" (Int. No. 1477), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Sprague introduced a bill entitled "An act to amend section 161, article 5, chapter 414, of the Laws of 1897, entitled 'An act in relation to villages constituting chapter 21 of the general laws'" (Int. No. 1478), which was read the first time and referred to the committee on affairs of villages.

Mr. A. F. Schmidt introduced a bill entitled "An act to provide for the taxation of certain public vehicles and conveyances" (Int. No. 1479), which was read the first time and referred to the committee on taxation and retrenchment.

Mr. Sawyer introduced a bill entitled "An act to amend chapter 394 of the Laws of 1885, entitled 'An act to amend chapter 410 of the Laws of 1882, entitled An act to consolidate into one act and to declare the special and local laws affecting public interest in the city of New York'" (Int. No. 1480), which was read the first time and referred to the committee on affairs of cities.

Mr. Sabine introduced a bill entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act relating to taxation, constituting chapter 24 of the general laws' relating to exemptions of property owned by fraternal associations or corporations connected with colleges and universities" (Int. No. 1481), which was read the first time and referred to the committee on taxation and retrenchment.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 422 of the Laws of 1898, entitled 'An act to license and regulate the business of private detectives and detective agencies'" (No. 1071, Rec. No. 226), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, and part of the county of Queens, and to provide for the government thereof,' making the city clerk clerk of the municipal assembly, and giving him the right to charge certain fees" (No. 1002, Rec. No. 230), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Code to prohibit the use of trading stamps, trading checks and similar gift enterprises" (No. 1077, Rec. No. 231), which was read the first time and referred to the committee on codes.

"An act to amend the Code of Civil Procedure, in relation to preferred causes" (No. 709, Rec. No. 232), which was read the first time and referred to the committee on codes.

"An act to amend section 564 of the Penal Code, and adding thereto a new section, 674f, relating to false personation, and also a new section, 674g, relating to the protection of the life-saving appliances of humane associations" (No. 929, Rec. No. 233), which was read the first time and referred to the committee on codes.

"An act to amend the Penal Code by adding thereto a new section relative to adulteration of natural fruit juices" (No. 842,

Rec. No. 234), which was read the first time and referred to the committee on codes.

"An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' and the acts amending the same" (No. 952, Rec. No. 235), which was read the first time and referred to the committee on affairs of villages.

"An act providing that the police commissioners of the city of New York in their discretion may reappoint Archibald Hamilton, an ex-policeman of the city of New York, who resigned from said police department September 5, 1882" (No. 1022, Rec. No. 236), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 596 of the Laws of 1898, entitled 'An act to organize and establish a police department for the city of Yonkers,' and the acts amendatory thereof" (No. 1011, Rec. No. 237), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Banking Law in regard to impairment of capital and appointment of receivers or commissioners" (No. 1028, Rec. No. 238), which was read the first time and referred to the committee on banks.

"An act to amend section 438 of the Code of Civil Procedure, relating to services of summons by publication" (No. 799, Rec. No. 239), which was read the first time and referred to the committee on codes.

"Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court" (No. 1031, Rec. No. 240), which was read the first time and referred to the committee on the judiciary.

"An act authorizing the paving of a portion of South street in the city of Auburn, and providing the method and means of payment therefor" (No. 1004, Rec. No. 241), which was read the first time.

On motion of Mr. Allds, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

"An act to amend the Railroad Law, relative to the use of sand and salt upon tracks" (No. 1080, Rec. No. 242), which was read the first time and referred to the committee on railroads.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cross, Int. No. 1386, entitled "An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto" (No. 1872), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Hays, Int. No. 1298, entitled "An act to amend article 5 of chapter 568 of the Laws of the State of New York enacted in 1895, entitled 'An act to incorporate the city of Johnstown' by adding thereto a new section relative to the acceptance of streets or highways" (No. 1626), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kane, Int. No. 1153, entitled "An act making East Utica street, West Utica street and Massachusetts street, in the city of Buffalo, park approaches" (No. 1842), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bulkley, Int. No. 965, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Kings, and to provide for the government thereof'" (No. 1129), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Phillips, Int. No. 1332, entitled "An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against John Fitzgibbons, a policeman of the first grade, for reinstatement, in said department" (No. 1740), reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, strike out the word "required" and insert the words "authorized in their discretion."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Mangin, Int. No. 1285, entitled "An act to authorize and empower the board of police commissioners of the city of New York to reconsider the resignation of Charles B. Von Gerichten as a patrolman of the police department of the city of New York" (No. 1684), reported in favor of the passage of the same with the following amendments:

Line 3, insert after the words "Von Gerichten" the words "and Adolphus Brown." Strike out the words "a patrolman" and insert the word "patrolmen."

Line 2, after the word "reconsider" insert the words "in its discretion."

Page 2, line 3, after the words "Von Gerichten" insert the words "and Adolphus Brown."

Amend title by inserting after the name "Charles B. Von Gerichten" the words "and Adolphus Brown." Strike out the words "a patrolman" and insert the word "patrolmen."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Bedell, Int. No. 813, entitled "An act to amend chapter 635 of the Laws of 1897, entitled 'An act to amend chapter 482, entitled An act to consolidate into one

act and to declare the special and local laws affecting public interests in the city of New York, relative to engineers' " (No. 919), reported in favor of the passage of the same, with the following amendment:

Page 2, line 4, strike out the words "or foreman to a locomotive engineer."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which referred the bill introduced by Mr. Bulkley, Int. No. 964, entitled "An act to improve the public health of the city of New York by the cultivation of trees and vegetation in the streets thereof, and to impose certain duties in relation thereto upon the park board and the commissioners of parks of said city" (No. 1128), reported in favor of the passage of the same, with the following amendments:

Page 2, lines 16 and 17, strike out the words "and all trees under the jurisdiction of another department of the city government."

Same page, line 24, after the word "associations" insert the words "under the jurisdiction of another department of the city government."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which recommitted the bill introduced by Mr. T. D. Lewis, Int. No. 1261, entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (No. 1612), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which

referred the bill introduced by Mr. Fowler, Int. No. 1428, entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to the compensation of policemen" (No. 1904), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Davis, Int. No. 1408, entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to renew a lease of certain lots to the Orphans' Home and Asylum of the Protestant Episcopal Church in New York" (No. 1871), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendment:

Page 2, line 6, after the word "empowered" insert the words "in its discretion."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Gale, Int. No. 1280, entitled "An act to amend chapter 775 of the Laws of 1895, entitled 'An act to legalize and provide for the payment of certain claims against Long Island City'" (No. 1679), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter seven hundred and seventy-five of the laws of eighteen hundred and ninety-five, entitled "An act to legalize and provide for the payment of certain claims against Long Island City."

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Chapter seven hundred and seventy-five of the laws of eighteen hundred and ninety-five, entitled "An act to legalize

and provide for the payment of certain claims against Long Island City," is hereby amended to read as follows:

§ 1. The contracts of Hugh F. Quinn and Son, of Thomas Penders and of Hagan and Daly, heretofore made and entered into by the board of education of Long Island City for the fitting up and furnishing of a school building used for the First ward grammar school of said city, situated on Sixth street, near Jackson avenue, being the building occupied as such school during the year eighteen hundred and ninety-two, so far as such contracts are invalid for the reason that the same were entered into without the confirmatory vote of at least five members of the common council of said city, or because of any failure to comply with any provision of the charter of said city or of any special law applicable to said city, are hereby made valid and binding on said city and on said board of education and its successors in the same manner and with the same effect in all respects as though such confirmatory vote had been given prior to the making of such contracts, and as though said contracts had been made and entered into in accordance with all legal requirements; provided, however, that nothing herein contained shall prevent said city or board or its successors from contesting any such claims on the ground of fraud.

§ 2. The amounts due under such contracts shall be ascertained, audited and paid in the manner now provided by law for other claims against the city of New York.

§ 3. This act shall take effect immediately.

ROBERT MAZET,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sherwood, Rec. No. 194, entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville'" (No. 775), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Douglas, Rec. No. 132, entitled "An act to establish a police pension fund for the city of Albany" (No. 365), reported in favor of the passage of the same, with the following amendments:

Page 3, strike out the whole of section 5.

Same page, line 11, strike out figure "6" and insert figure "5."

Same page, line 16, strike out figure "7" and insert figure "6."

Same page, lines 18 and 19, strike out the words "except on account of sickness."

Page 6, line 8, strike out period after the word "immediately" and insert the words "excepting that no pension shall be awarded under the provisions of this act until May first, nineteen hundred and one."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 199, entitled "An act to authorize the common council of the city of Yonkers to appropriate money towards the expenses of the entertainment of the convention of the New York State Firemen's Association to be held in said city during the year 1899" (No. 589), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Sherwood, Rec. No. 200, entitled "An act to establish and maintain a water department in and for the city of Hornellsville" (No. 763), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 1, line 6, strike out comma after the word "city" and insert a period and the words "No more than three of said commissioners shall, when either of them is appointed, belong to the same party or be of the same political opinion on state and national politics."

Page 10, line 13, strike out comma after the word "report" and insert a semi-colon and the words "if the report be confirmed" after the word "and."

Page 11, line 5, strike out comma after the word "appeal."

Same page, line 6, strike out the words "by a notice in writing to

the other " and insert the words "in the manner provided by the code of civil procedure for appeal in civil action."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted.

On motion of Mr. Mazet, said bill was recommitted to the committee on affairs of cities, retaining it place on the order of third reading.

Mr. Mazet, from the committee on affairs of cities, reported the following resolution favorably:

Whereas, It is currently reported and generally believed that in the city of New York funds are being raised by levy upon members of the police force, saloon and resort keepers, and by other contributions for use in corruptly influencing legislation; that there is a lax enforcement of the laws in said city and in the counties included in said city; that corrupt and tyrannical methods have been resorted to in the enforcement of the same, and that the public funds of said city are being wasted in extravagant increases of official salaries and in other ways; and

Whereas, It is deemed desirable for the public good that there should be a legislative investigation into all and singular the facts upon which said reports and charges are made, to the end that any action of the Legislature in reference thereto may be the more intelligently taken; therefore

Resolved, That the Speaker of the Assembly be and he hereby is directed to appoint seven members of the Assembly, who shall be a special committee of this body, with full power and authority to investigate all and singular the said reports and charges and all matters and things in any way pertaining thereto, and with full power to prosecute its inquiry in any and every direction in its judgment necessary and proper to enable it to obtain and report the facts in reference to said charges; and further

Resolved, That said committee be and it hereby is authorized to employ one or more stenographers and one or more counsel, and such other assistants as it may deem necessary for the proper conduct of the investigation herein directed, and that it shall have the power to compel the production before it of any books and records, letters or documentary evidence of any character which, in the judgment of the committee, pertains to any matter or thing under investigation, and wherever found; and also to compel the attendance of any witness; such production of documents or attendance of witness to be required by subpoena signed by the chairman of the committee or acting chairman or one of

the counsel to the committee. Any member of said committee may administer the oath of any witness produced before it. Said committee may hold its meetings in both the city of New York and in the city of Albany. Any member or members of the committee, and its counsel, clerk or clerks, shall have access at all time during the life of the committee to all books, records, papers and other documents on file in the office of the various departments in said city and counties and the various subdivisions thereof throughout said city and counties; said committee shall exercise and enjoy all the powers, privileges and authority of a legislative committee, with full power to enforce its directions and mandates; and further

Resolved, That for any testimony given before said committee it is the judgment of this body that no witness shall be prosecuted, indicted, held liable or proceeded against in any other action or proceeding for any testimony given by him before said committee.

The sergeant-at-arms of the Assembly shall attend said committee, and shall serve or cause to be served all subpoenas issued by the committee, and perform all duties as sergeant-at-arms required by the committee.

Mr. Roach.—I desire that report read through.

Mr. Speaker.—The report will be read through.

Said resolution was then read.

Mr. Roach.—I object.

Mr. Speaker.—Not in order. This is a report of a committee.

Mr. Roach.—I rise to a point of order; that no resolution can be introduced into this House after the 1st of March unless by unanimous consent.

Mr. Speaker.—That applies to the introduction of a resolution by a member from the floor, and not a committee report.

Mr. Roach.—Under what ruling?

Mr. Speaker.—The Chair holds that a committee has the right to report at any time, either by resolution or by bill.

Mr. Palmer.—I desire to ask the Speaker under what rule a chairman has a right to introduce a resolution here, an original resolution, any more than any other member of the House?

Mr. Speaker.—The Chair understands that it is not the resolution of the gentleman from New York (Mr. Mazet), but a resolution of the cities committee.

Mr. Palmer.—Has a committee any more right to introduce an

original resolution not referred to them from the House for their action than has an individual member?

Mr. Speaker.—The committee has, and I will cite a precedent if the gentleman desires it. April 4, 1895, the railroad committee reported a resolution as a report, and there have been other cases.

Mr. Palmer.—Was objection made to it?

Mr. Speaker.—I do not know whether objection was made to it.

Mr. Kelsey.—The report of the committee is entitled to be received as a report.

Mr. Speaker.—It certainly is.

Mr. Kelsey.—You can move to disagree with that part of the report.

Mr. Palmer.—I undertake to say that there is no rule or precedent under which a resolution can be introduced into this House after the 1st day of March where it is objected to by any member. I will concede that if no objection was made this resolution might be introduced. But objection now being made there is no warrant by precedent or otherwise for its introduction. And let me say, if that be true, then the rules that are made for the protection of every member and for each party upon the floor of this House are entirely nullified, for the reason that the minority never could get a resolution through an adverse committee; and a majority could introduce any resolution it pleased through a friendly committee. If this ruling stands, then the rules of this House have no potency or protection to the minority members; and if that be the ruling of the House I desire, representing the minority here, that our protest may go on the record for the benefit of minorities that are to follow us upon the floor of this House, no matter of what political faith they may be. I also desire to go on record as appealing from this decision. You are nullifying a rule of this House and doing away with the rights of the minority, which were intended to be protected by this very rule. If the Chair has made that decision I desire to appeal from it.

Mr. Roach.—In reference to the resolution reported by the railroads committee to investigate the different railroads in the

State, the Speaker of this House was chairman of that committee, and there was no objection made to the committee reporting that resolution. I claim that this resolution has been objected to, and it should be sent back to the committee.

Mr. Speaker.—The Chair will say to the gentleman from New York that while the journal does not show that there was objection, it does show that the Speaker of the House asked unanimous consent for its consideration.

Mr. Allds.—There is no doubt about it that the rules which are in the printed books apply to resolutions which are introduced from the floor. The right of a committee to report either by bill or resolution has never been questioned in this House. But I do not blame my friend for objecting to the resolution and to adopt any dilatory tactics that he desires. As the Speaker of this House has ruled, a committee has a perfect right to report either by bill or by resolution. This is not a resolution introduced by any member upon this floor. This is a committee report which is before this House, and the only parliamentary remedy you have is to disagree with the report if you don't like it.

Mr. Palmer.—I desire to ask the distinguished leader of the majority where there is any permission for the introduction of original resolution in this House by any set of people?

Mr. Allds.—We are not considering the introduction of a resolution; we are considering the report of a committee.

Mr. Palmer.—I undertake to say that we are considering the introduction of a resolution in this House by the chairman of a committee, a resolution which was never sent to that committee for any action upon it. I desire to say that it is a secret attempt to violate one of the protective rules of this House, which, if insisted upon, would take away every right of the minority upon this floor and give to the majority every protection. In other words, a committee can introduce resolutions but a member cannot, when the rules of this House say that none can be introduced after the 1st of March.

Mr. Green.—I am astonished at the ruling of the distinguished

Speaker on the point of order raised by Mr. Roche. It does seem that this places a remarkable degree of power in the hands of the majority of this House, for the rules of this House were adopted for the protection of the majority and the minority as well. As I understand it, under the ruling of the Chair, while the minority cannot introduce a resolution and have it acted upon after the 1st of March, all that would be necessary, as stated by the gentleman from Schoharie (Mr. Palmer), is to go to a friendly committee and have them introduce a resolution which an individual member could not introduce. I claim that the decision of the Speaker is against the rulings of other Speakers who have occupied the Chair to permit a committee to introduce a resolution where a member is denied that privilege.

Mr. Speaker.—The Chair would ask the gentleman to cite a contrary precedent.

Mr. Green.—I have not in mind at the present time the record of all the journals of the House. But the fact still remains that if at any time a report was accepted by this House, it was accepted only by unanimous consent after the 1st of March.

Mr. Speaker.—The Chair rules that the resolution is properly before the House; that any member of the minority has the right to present to any committee a resolution which he desires to have made a committee resolution and ask for its consideration. If such resolution receive the approbation of a majority of that committee the Chair will hold that it can come before this House for consideration.

Mr. Palmer.—I desire to appeal from the ruling of the Chair.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dean	Heller	O'Connell	Sears
Allds	De Graw	Henderson	O'Connor	Sharkey
Apgar	Delaney	Henry	Palmer	Siems
Axtell	Dillon	Hill	Paris	Slater
Babcock	Doughty	Hitchcock	Patton	Sloane C A

Baker	Dutton	Hoffman	Phillips	Sloane J J
Barrett	Ellis	Hutton	Pickett	Smith J E
Bashford	Fallows	Johnson	Post	Smith J T
Baum	Fancher	Kane	Poth	Snyder
Bedell	Farrell	Kelley E E	Redington	Sprague
Beede	Fish	Kelsey	Rierdon	Stoneman
Brennan E C	Fitzgerald	Kullman	Roberts	Streifler
Brennan J F	Fordyce	Lewis T D	Roche	Sullivan T P
Brewster	Fowler	Litchard	Rodenbeck	Sullivan W J
Bryan	Gale	Maher	Rogers	Ten Eyck
Bulkley	Gallagher	Mangin	Rowe	Thorn
Clark	Gardiner	Martin	Russell	Torborg
Collier	Gleason	Mason	Sabine	Tripp
Collins	Gould	Mazet	Sage H M	Vincent
Costello	Graham	McEwan	Sage S B	Ware
Cottle	Green	McInerney	Sanders	West
Cotton	Greenwood	McKeown	Sandford	Whipple
Coughtry	Grossman	McMillan	Sands	Wilson
Cowles	Guider	Meister	Sawyer	Wingenfeld
Cross	Hallock	Meyer	Schmid A F	Wissel
Darrison	Harburger	Miles	Schmid F	Witter
Davis	Hays	Murphy	Schoeneck	134

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker stated the question to be "Shall the decision of the Chair stand as the judgment of the House?" and it was determined in the affirmative.

{ AYES 84 }
{ NOES 56 }

Those who voted in the affirmative, were

Adler	Cotton	Gardiner	Mazet	Sawyer
Allds	Coughtry	Gleason	McEwan	Sears
Apgar	Cowles	Graham	McMillan	Slater
Axtell	Cross	Greenwood	Miles	Sloane C A
Babcock	Darrison	Hallock	Murphy	Smith J T
Baker	Davis	Hatch	Paris	Snyder
Bedell	De Graw	Hays	Patton	Sprague
Beede	Delaney	Hill	Post	Stoneman
Brennan E C	Doughty	Hitchcock	Roberts	Thorn
Brewster	Dutton	Johnson	Rodenbeck	Tripp

Bryan	Ellis	Kelley E E	Rogers	Vincent
Bulkley	Evarts	Kelsey	Rowe	Ware
Burnett	Fallows	Lewis M E	Russell	West
Clark	Fancher	Lewis T D	Sabine	Whipple
Collier	Fish	Litchard	Sage H M	Wilson
Costello	Fordyce	Martin	Sandford	Witter
Cottle	Fowler	Mason	Sands	

Those who voted in the negative, were

Ball	Gould	Kelly G T	Phillips	Sharkey
Barrett	Green	Kullman	Pickett	Siems
Bashford	Grossman	Maher	Poth	Sloane J J
Brennan J F	Guider	Mangin	Redington	Smith J E
Collins	Harburger	McInerney	Rierdon	Streifler
Dean	Heller	McKeown	Roche	Sullivan T P
Dillon	Henderson	Meister	Sage S B	Sullivan W J
Farrell	Hoffman	Meyer	Sanders	Torborg
Finn	Hutton	O'Connell	Schmid A F	Trainor
Fitzgerald	Juengst	O'Connor	Schmid F	Wingenfeld
Gale	Kane	Palmer	Schoeneck	Wissel
Gallagher				

Mr. Palmer.—I desire to raise a point of order now that this resolution carries with it an appropriation, and it is a resolution that comes from a committee that has nothing to do with appropriations made by this House. It is an illegitimate report from that committee. It is simply the usurpation by one committee, self-styled by themselves, to take care of resolutions that should come from the ways and means committee of this House; and it is an attempt by an individual, through a committee which has no authority to pass upon this class of legislation, to inject into this House a resolution, not legitimately before that committee, nor would it have been sent to that committee for introduction, for it is no part of that committee's work and should not have originated there.

Mr. McKeown.—I object to the consideration of the resolution if it carries an appropriation.

Mr. Palmer.—I therefore raise the point of order that the resolution does not legitimately come from a proper committee to which it had been referred or from which it should be reported to this House. It should have gone to the ways and means committee in the first instance.

Mr. Allds.—The point of order which the gentleman raises might be raised on the proposition of reference if it came from the floor of the House possibly. But I want to say in terms that this resolution does not provide for the expenditure of any money; therefore the point cannot properly lie.

Mr. Speaker.—The Chair would hold upon the question of an appropriation, inasmuch as the appropriation is not mentioned in the resolution, that it is within the jurisdiction of the House to pass upon the appropriation for this purpose at the time the appropriation comes before the House for its consideration.

Mr. Palmer.—I undertake to say that if this resolution be adopted it does carry with it an appropriation and the State will have to pay the expense incurred.

Mr. Speaker.—Will the gentleman give way for a question from the Chair.

Mr. Palmer.—Certainly.

Mr. Speaker.—If I cite an instance where an appropriation has not been paid will the gentleman be satisfied?

Mr. Palmer.—Certainly.

Mr. Speaker.—I will cite the instance of the Fassett committee, when Governor Hill refused to sign bills for the payment of the expenses.

Mr. Palmer.—I undertake to say that bills before the Legislature will receive endorsement for the purpose of paying the Lexow committee expenses. Those claims cannot be wiped out, because they were employed by the State through a resolution of this House and you cannot escape payment.

Mr. Roche.—Last year Senator Parsons had here a bill to reimburse the people who had to pay their expenses before the Lexow committee. It received 48 votes in the Senate and was killed in this House during the last days of the session. That is no criterion to go by. This resolution was improperly introduced; it cannot be introduced when objection is made; it is wrong and an imposition of the majority and an attempt to crowd the minority. It is wrong, unfair and unjust.

Mr. Allds.—The point of order cannot properly lie against

this resolution for another reason, and that is that a resolution calling for an expenditure of money should be referred to the committee on ways and means, unless the House should designate some other committee. That is the only rule upon the subject. That rule refers to resolutions which come from the floor over the desk. The Speaker has ruled that the resolution is properly before the House, and the point of order will not lie.

Mr. Green.—I did not think that the leader of the majority would contend for one instant that this resolution does not mean an expenditure. I desire to call his attention to the language of the rule which provides that all resolutions calling for and leading to expenditures for this Legislature shall be referred to and reported on by the committee on ways and means, unless the House shall designate some other committee. Where has this House designated some other committee to report on the resolution which leads to an expenditure. It may be that the ruling of the Chair is that this resolution is properly before the House. I grant his ruling, but the fact nevertheless remains that it comes from a committee which has no jurisdiction over the matter, according to the rules of the House, and the first step should be to refer this resolution to the ways and means committee. As long as this rule remains on the books, just so long is the resolution improperly before the House and should go to the ways and means committee.

Mr. Allds.—My friends from Schoharie and New York seem to recognize the fact that the rules which appear on page 137 apply to resolutions which are introduced from the floor.

Mr. Kelsey.—I would suggest that the gentleman has a right now to move to recommit to any committee that he chooses.

Mr. Speaker.—The Chair was going to state what has just been said by the gentleman from Livingston, that the resolution is now within the jurisdiction of the House and he has the same privilege now that he would have at the time of the introduction of an original resolution by a member to move to send it to the ways and means committee or to any other committee which he may designate.

Mr. Palmer.— I desire to take advantage of the statement of the Chair that the members of the minority now have the same rights with reference to this resolution as though it had been originally introduced by a member. That is exactly what I was contending for, and I am in hearty accord with the statement and agree with the Speaker on the subject. If we have those same rights, then I again object to the reception of this resolution.

Mr. Speaker.— The Chair stated that you had a right to move to recommit to any other committee.

Mr. McKeown.— I desire to call the attention of the Chair to chapter 11, rule 31.

Mr. Speaker.— The Chair has perused that carefully.

Mr. McKeown.— Among the resolutions which must lie over for one day are resolutions giving rise to debate. I raise the point of order that this resolution is giving rise to a debate, and it must necessarily lie over one day.

Mr. Speaker.— The Chair holds the point of order not well taken, because it is a report of a committee which requires immediate action.

Mr. McKeown.— You are acting now on a resolution.

Mr. Speaker.— As a committee report you are acting on a resolution.

Mr. McKeown.— The whole business is revolutionary.

Mr. Speaker.— The report of a committee should be considered when made by a committee. This is a report from the cities committee.

Mr. McKeown.— It is a resolution, nevertheless.

Mr. Palmer.— I ask the Chair if this is any the less a resolution, no matter where it comes from.

Mr. Speaker.— The committee reports by resolution, which requires immediate consideration. I supposed the Chair had ruled so the minority could understand that proposition.

Mr. McKeown.— The report has been adopted except the resolution.

Mr. Green moves to recommit said resolution to the committee on affairs of cities with instructions to amend the resolution by adding the following section, and to report forthwith.

"Any person charged by a witness, subpoenaed and testifying under the provisions of this resolution with accepting a bribe, or with receiving any money for an unlawful purpose, shall have the right to be represented by counsel who shall have the right of cross examination."

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Green, and it was determined in the negative.

{ AYES 56 }
{ NOES 84 }

Those who voted in the affirmative, were

Adler	Gale	Juengst	Palmer	Schoeneck
Ball	Gallagher	Kane	Phillips	Sharkey
Barrett	Gould	Kelly G T	Poth	Siems
Bashford	Green	Kullman	Redington	Sloane J J
Brennan J F	Grossman	Maher	Riedman	Smith J E
Cain	Guider	Mangin	Rierdon	Sullivan T P
Collins	Harburger	McInerney	Roche	Sullivan W J
Dean	Heller	McKeown	Sage S B	Torborg
Dillon	Henderson	Meister	Sanders	Trainor
Farrell	Hoffman	O'Connell	Schmid A F	Wingenfeld
Finn	Hutton	O'Connor	Schmid F	Wissel
Fitzgerald				

Those who voted in the negative, were

Allds	Coughtry	Gleason	McEwan	Sears
Apgar	Cowles	Graham	McMillan	Slater
Axtell	Cross	Greenwood	Miles	Sloane C A
Babcock	Darrison	Hallock	Murphy	Smith J T
Baker	Davis	Hatch	Paris	Snyder
Bedell	De Graw	Hays	Patton	Sprague
Beede	Delaney	Henry	Post	Stoneman
Brennan E C	Doughty	Hill	Roberts	Ten Eyck
Brewster	Dutton	Hitchcock	Rodenbeck	Thorn
Bryan	Ellis	Johnson	Rogers	Tripp
Bulkley	Evarts	Kelley E E	Rowe	Vincent
Burnett	Fallows	Kelsey	Russell	Ware
Clark	Fancher	Lewis M E	Sabine	West
Collier	Fish	Lewis T D	Sage H M	Whipple

Costello	Fordyce	Litchard	Sandford	Wilson
Cottle	Fowler	Martin	Sands	Witter
Cotton	Gardiner	Mazet	Sawyer	

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Dean	Hatch	Murphy	Sharkey
Allds	De Graw	Hays	O'Connor	Siems
Apgar	Dillon	Heller	Paris	Slater
Babcock	Doughty	Henderson	Patton	Sloane C A
Baker	Ellis	Henry	Pickett	Sloane J J
Barrett	Evarts	Hill	Post	Smith J T
Bashford	Fallows	Hitchcock	Redington	Snyder
Bedell	Fancher	Kelley E E	Roberts	Sprague
Beede	Fitzgerald	Kelsey	Roche	Streifler
Brennan J F	Fordyce	Kullman	Rodenbeck	Sullivan T P
Brewster	Fowler	Lewis M E	Rogers	Sullivan W J
Bulkley	Gale	Lewis T D	Rowe	Ten Eyck
Burnett	Gardiner	Litchard	Russell	Torborg
Collier	Gleason	Mangin	Sage H M	Tripp
Collins	Gould	Martin	Sandford	Vincent
Cotton	Greenwood	Mason	Sands	Ware
Coughtry	Grossman	Mazet	Sawyer	West
Cowles	Guider	McEwan	Schmid A F	Wilson
Darrison	Hallock	McMillan	Sears	Wissel
Davis				

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Graham, Axtell, Miles and Stoneman, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hoffman moved to amend said resolution as follows:

Add at the end of said resolution the following:

“Resolved, That said committee shall investigate the various gas companies in order to ascertain whether or not 90 cents per 1,000 cubic feet for gas is not a sufficient charge in the city of

New York, and said committee shall also have power to investigate all trusts and combinations of capital which are inimical to the interests of the people."

Mr. Trainor moved to amend said resolution as follows:

"Whereas, It has been charged that the Astoria Gas bill was passed by the use of money to secure votes by which this bill passed the Assembly; therefore be it

"Resolved, That this committee be and they are hereby empowered to investigate the same."

Mr. Harburger moved to amend said resolution as follows:

Add thereto the following:

"The various State departments be investigated how much money has been expended for special counsel, and also the Raines Liquor Tax Law, having increased crimes and immorality, and dives are springing up in every direction in the State. In Oyster Bay, the home of the Governor, and in the Greater New York, be it

"Resolved, That this investigation committee thoroughly investigate the workings of the pernicious Raines Liquor Tax Law."

Mr. Maher moved that said resolution be amended by adding thereto the following:

"Whereas, It is reported that the citizens of the county of Albany raised money and used it illegally for the purpose of defeating the measure providing for biennial sessions, therefore, be it

"Resolved, That the committee be instructed to investigate said charges and endeavor to find out how the said money was used."

Messrs. Harburger and Rierdon sent resolutions to the desk.

Mr. Speaker.—The resolutions will be returned as not in order.

The Speaker.—The Chair desires to say now that he is perfectly willing that this resolution shall be fully debated; but at the same time if the members resort to tactics that are not believed to be fair, the majority must not be held responsible if it takes immediate action on the proposition.

Mr. Allds (interrupting).—It is evident that this debate has been conducted fairly up to this time, and it is evident that the majority of this House have extended every courtesy possible to the minority in the consideration of this question. But it is evident from the nature of the amendments that have been sent to the desk that that which has hitherto been an orderly debate has

descended into personalities. Having discharged our duty as a deliberative body upon the consideration of this question, I now move a call of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Allds	Davis	Heller	Miles	Sands
Apgar	Dillon	Henderson	Mohring	Schmid A F
Axtell	Doughty	Hill	Murphy	Schoeneck
Babcock	Egan	Hoffman	O'Connell	Scars
Baker	Ellis	Hutton	O'Connor	Sharkey
Bashford	Evarts	Johnson	Palmer	Siems
Beede	Fallows	Juengst	Patton	Sloane C A
Boland	Farrell	Kane	Phillips	Sloane J J
Brennan E C	Finn	Kelley E E	Pickett	Smith J E
Brennan J F	Fish	Kelly G T	Poth	Snyder
Brewster	Fitzgerald	Kelsey	Redington	Stoneman
Bryan	Fordyce	Kullman	Riedman	Streifer
Bulkley	Fowler	Lewis M E	Rierdon	Sullivan T P
Burnett	Gale	Lewis T D	Roberts	Ten Eyck
Clark	Gallagher	Litchard	Roche	Thorn
Collier	Gardiner	Martin	Rodenbeck	Torborg
Collins	Gleason	Mason	Rowe	Trainor
Costello	Green	Mazet	Russell	Tripp
Cottle	Greenwood	McEwan	Sabine	Vincent
Cotton	Hallock	McInerney	Sage H M	West
Coughtry	Harburger	McKeown	Sage S B	Whipple
Cowles	Hatch	McMillan	Sanders	Wilson
Darrison	Hays	Meister	Sandford	Witter

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Henry, Adler, Slater, Sawyer, Dutton, Fancher, Paris, Graham and Ware, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Palmer.—I rise to a question of personal privilege. I stand upon the floor of this House as a member of the Legislature. A

resolution has been reported to this House and, sir, that is directed against every member of this House, for it says that money has been raised in the city of New York to come to this House and influence legislation. I desire to say to the chairman of the cities committee that if he is afraid of being corrupted that the minority is not. My question of personal privilege is that I do not desire to be insulted by this kind of legislation. Mr. Speaker, if this resolution is to remain on the desk of this House I have been outraged in my privileges when the Speaker refuses to receive an amendment from my friend from New York.

Mr. Speaker.—The Chair will state, and I believe the gentleman from Chenango agrees with me, that the majority are perfectly willing to allow this discussion to go on in an orderly manner. But we will not sit here and have amendments offered not pertaining to this resolution and offered in derision. The majority will not submit to it.

Mr. Palmer.—The resolution charges that policemen in the city of New York are raising money for the purpose of influencing this legislature. There have been men in this chamber to influence legislation; but the men to whom the resolution refers have not been here for that purpose.

Debate was had on said amendments, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

{ AYES 81 }
{ NOES 61 }

Those who voted in the affirmative, were

Allds	Cowles	Gleason	Mason	Sands
Apgar	Cross	Graham	Mazet	Sawyer
Babcock	Darrison	Greenwood	McEwan	Slater
Baker	Davis	Hallock	McMillan	Sloane C A
Bedell	De Graw	Hatch	Miles	Snyder
Beede	Delaney	Hays	Murphy	Sprague
Brennan E C	Doughty	Henry	Paris	Stoneman
Brewster	Dutton	Hill	Patton	Ten Eyck
Bryan	Ellis	Hitchcock	Post	Thorn
Bulkley	Evarts	Johnson	Roberts	Tripp
Burnett	Fallows	Kelley E E	Rodenbeck	Vincent

Clark	Fancher	Kelsey	Rowe	Ware
Collier	Fish	Lewis M E	Russell	West
Costello	Fordyce	Lewis T D	Sabine	Whipple
Cottle	Fowler	Litchard	Sage H M	Wilson
Cotton	Gardiner	Martin	Sandford	Witter
Coughtry				

Those who voted in the negative, were

Ball	Gale	Kane	Palmer	Schoeneck
Barrett	Gallagher	Kelly G T	Phillips	Sharkey
Bashford	Gould	Kullman	Pickett	Siems
Boland	Green	Maher	Poth	Sloane J J
Brennan J F	Grossman	Mangin	Redington	Smith J E
Cain	Guider	McInerney	Riedman	Streifler
Collins	Harburger	McKeown	Rierdon	Sullivan T P
Dean	Heller	Meister	Roche	Sullivan W J
Dillon	Henderson	Meyer	Sage S B	Torborg
Egan	Hoffman	Mohring	Sanders	Trainor
Farrell	Hutton	O'Connell	Schmid A F	Wingenfeld
Finn	Juengst	O'Connor	Schmid F	Wissel
Fitzgerald				

Mr. Reardon.—Mr. Speaker, I rise to a question of personal privilege. I desire to be recognized by the Chair on my right as a member. I demand that you listen to me. I ask for the highest privilege that comes to a member of the Legislature.

Mr. Speaker.—To what question of personal privilege does the gentleman refer.

Mr. Reardon.—To a question of personal privilege.

Mr. Speaker.—State it.

Mr. Reardon.—That the Chair has outraged my right as an American citizen and member of this body by denying my right to present a resolution. The same courtesy was extended to every other member of the House. You have no right as Speaker and backed by a majority to say that you will crush down my throat a resolution that I introduce by the will and right of the people that sent me here. My right is unquestioned as a member of this body. My record here is as pure as a crystal, as pure as any member of this body; and my right to speak as an American citizen is inherent in me, as it is in every honest, upright man as an American citizen. (Reading resolution—)

Mr. Speaker.—That is not a question of personal privilege.

Mr. Reardon.—I beg your pardon.

Mr. Speaker.—The Chair refuses to recognize the gentleman for the reading of that amendment. That is not a question of personal privilege.

Mr. Allds.—I raise the point of order that the gentleman is not speaking on a question of personal privilege.

Mr. Speaker.—The gentleman has stated no question of personal privilege, except so far as the offering of the resolution.

Mr. Reardon.—I desire to be recognized on a question of personal privilege. I am again on the floor asking for my rights. A decision, if you please!

Mr. Speaker.—The gentleman has moved the previous question. I will not recognize the gentleman to offer that amendment at the present time. The gentleman from Chenango has moved the previous question.

Mr. Palmer.—I rise to a question of personal privilege.

Mr. Reardon.—I make way for Mr. Palmer.

Mr. Palmer.—I desire to say for my associate that there was an agreement, sanctioned by the Speaker, that all amendments might be offered in their order; that if we would not stop each time an amendment was offered they could be taken in their order when the debate was closed, and nobody would be shut off. I desire to state that that agreement has been broken. I therefore ask that the amendment be entertained.

Mr. Allds.—The agreement between my friend from Schoharie and myself was that in accordance with the usual procedure of this House amendments should be offered to the resolutions and debate had on the amendments, and at the close of the debate the vote should be had on the amendments in the order in which they were offered. Mr. Speaker, I lived up to that agreement and never moved the question until every legitimate amendment which was apparently desired to be offered by the minority had been offered. But you have ceased to offer amendments in any way germane to the question under discussion; and because it has passed beyond the limit of legitimate debate it is time for me to move the previous question. There is nothing before the House except a vote upon the amendments.

Mr. Reardon.—I desire to present a resolution in accordance with the rules.

Mr. Allds.—The Chair having ruled the gentleman is not speaking to a question of personal privilege, he has no right to address this House.

The Speaker.—The point of order is well taken.

Mr. Palmer.—I make the point of order that the resolution is not in proper form before the House. On page 127 of the rules of the Assembly it states that a petition or memorial or remonstrance, with a brief statement of its contents, and the name of the member presenting it. The name presenting this resolution is a committee.

Mr. Speaker.—It comes by endorsement of the cities committee, which presents it. The point of order is not well taken.

Mr. Palmer.—I desire to have the name of the cities committee signed to the resolution. I desire to have the resolution read in its entirety to see whether the name of the cities committee is on it.

Mr. Allds.—The question is now on the amendment. His point of order will not lie against the amendment. You have offered amendments and commenced debate on the resolution, and these questions relate to the amendment. The resolution is rightfully before the House under the ruling of the Speaker.

Mr. Speaker.—The Chair holds that the resolution is properly before the House, and the question now occurs on the amendment of the gentleman from New York, Mr. Hoffman.

Mr. Palmer.—I desire to appeal from the ruling of the Chair.

Mr. Speaker put the question "Shall the decision of the Chair stand as the judgment of the House?" and it was determined in the affirmative.

{ AYES 85 }
{ NOES 61 }

Those who voted in the affirmative, were

Allds	Coughtry	Gleason	Mazet	Sawyer
Apgar	Cowles	Graham	McEwan	Sears
Axtell	Cross	Greenwood	McMillan	Slater
Babcock	Darrison	Hallock	Miles	Sloane C A

Baker	Davis	Hatch	Murphy	Smith J T
Bedell	DeGraw	Hays	Paris	Snyder
Beede	Delaney	Henry	Patton	Sprague
Brennan E C	Doughty	Hill	Post	Stoneman
Brewster	Dutton	Hitchcock	Roberts	Ten Eyck
Bryan	Ellis	Johnson	Rodenbeck	Thorn
Bulkley	Evarts	Kelley E E	Rogers	Tripp
Burnett	Fallows	Kelsey	Rowe	Vincent
Clark	Fancher	Lewis M E	Russell	Ware
Collier	Fish	Lewis T D	Sabine	West
Costello	Fordyce	Litchard	Sage H M	Whipple
Cottle	Fowler	Martin	Sandford	Wilson
Cotton	Gardiner	Mason	Sands	Witter

Those who voted in the negative, were

Ball	Gale	Kane	Palmer	Schoeneck
Barrett	Gallagher	Kelly G T	Phillips	Sharkey
Bashford	Gould	Kullman	Pickett	Siems
Boland	Green	Maher	Poth	Sloane J J
Brennan J F	Grossman	Mangin	Redington	Smith J E
Cain	Guider	McInerney	Riedman	Streifler
Collins	Harburger	McKeown	Rierdon	Sullivan T P
Dean	Heller	Meister	Roche	Sullivan W J
Dillon	Henderson	Meyer	Sage S B	Torborg
Egan	Hoffman	Mohring	Sanders	Trainor
Farrell	Hutton	O'Connell	Schmid A F	Wingenfeld
Finn	Juengst	O'Connor	Schmid F	Wissel
Fitzgerald				

Mr. Speaker stated the question to be upon the motion of Mr. Hoffman to amend said resolutions.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Hoffman, and it was determined in the negative.

{ AYES 62 }
{ NOES 86 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Kane	Palmer	Schoeneck
Barrett	Gale	Kelly G T	Phillips	Sharkey
Bashford	Gallagher	Kullman	Pickett	Siems
Baum	Gould	Maher	Poth	Sloane J J
Boland	Green	Mangin	Redington	Smith J E
Brennan J F	Grossman	McInerney	Riedman	Streifler
Cain	Guider	McKeown	Rierdon	Sullivan T P

Collins	Harburger	Meister	Roche	Sullivan W J
Dean	Heller	Meyer	Sage S B	Torborg
Dillon	Henderson	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connor	Schmid F	Wissel
Finn	Juengst			

Those who voted in the negative, were

Adler	Coughtry	Gleason	Mazet	Sawyer
Allds	Cowles	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater
Axtell	Darrison	Hallock	Miles	Sloane C A
Babcock	Davis	Hatch	Murphy	Smith J T
Baker	De Graw	Hays	Paris	Snyder
Bedell	Delaney	Henry	Patton	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Ten Eyck
Brewster	Ellis	Johnson	Rodenbeck	Thorn
Bryan	Evarts	Kelley E E	Rogers	Tripp
Bulkley	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	Ware
Clark	Fish	Lewis T D	Sabine	West
Collier	Fordyce	Litchard	Sage H M	Whipple
Costello	Fowler	Martin	Sandford	Wilson
Cottle	Gardiner	Mason	Sands	Witter
Cotton				

Mr. Speaker stated the question to be upon the motion of Mr. Trainor to amend said resolution.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Trainor, and it was determined in the negative.

{ AYES 63 }
{ NOES 83 }

Those who voted in the affirmative, were

Ball	Farrell	Hutton	Palmer	Schoeneck
Barrett	Finn	Kane	Phillips	Sharkey
Bashford	Fitzgerald	Kelly G T	Pickett	Siems
Baum	Gale	Kullman	Poth	Sloane J J
Boland	Gallagher	Maher	Redington	Smith J E
Brennan J F	Gould	Mangin	Riedman	Streifler
Bulkley	Green	McInerney	Rierdon	Sullivan T P
Cain	Grossman	McKeown	Roche	Sullivan W J
Oollins	Guider	Meister	Sage S B	Torborg
Cotton	Harburger	Meyer	Sanders	Trainor

Dean	Heller	Mohring	Schmid A F	Wingenfeld
Dillon	Henderson	O'Connell	Schmid F	Wissel
Egan	Hoffman	O'Connor		

Those who voted in the negative, were

Adler	Cowles	Graham	McEwan	Sawyer
Allds	Cross	Greenwood	McMillan	Slater
Apgar	Darrison	Hallock	Miles	Sloane C A
Axtell	Davis	Hatch	Murphy	Smith J T
Babcock	De Graw	Hays	Paris	Snyder
Baker	Delaney	Henry	Patton	Sprague
Bedell	Doughty	Hill	Post	Stoneman
Beede	Dutton	Hitchcock	Roberts	Ten Eyck
Brennan E	Cellis	Johnson	Rodenbeck	Thorn
Brewster	Evarts	Kelley E E	Rogers	Tripp
Bryan	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	Ware
Clark	Fish	Lewis T D	Sabine	West
Collier	Fordyce	Litchard	Sage H M	Whipple
Costello	Fowler	Martin	Sandford	Wilson
Cottle	Gardiner	Mason	Sands	Witter
Coughtry	Gleason	Mazet		

Mr. Speaker stated the question to be upon the motion of Mr. Harburger to amend said resolution.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Harburger, and it was determined in the negative.

{ AYES 62 }
{ NOES 86 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Kane	Palmer	Schoeneck
Barrett	Gale	Kelly G T	Phillips	Sharkey
Bashford	Gallagher	Kullman	Pickett	Siems
Baum	Gould	Maher	Poth	Sloane J J
Boland	Green	Mangin	Redington	Smith J E
Brennan J R	Grossman	McInerney	Riedman	Streifler
Cain	Guider	McKeown	Rierdon	Sullivan T P
Collins	Harburger	Meister	Roche	Sullivan W J
Dean	Heller	Meyer	Sage S B	Torborg
Dillon	Henderson	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connor	Schmid F	Wissel
Finn	Juengst			

Those who voted in the negative, were

Adle.	Coughtry	Gleason	Mazet	Sawyer
Allds	Cowles	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater
Axtell	Darrison	Hallock	Miles	Sloane C A
Babcock	Davis	Hatch	Murphy	Smith J T
Baker	De Graw	Hays	Paris	Snyder
Bedell	Delaney	Henry	Patton	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Ten Eyck
Brewster	Ellis	Johnson	Rodenbeck	Thorn
Bryan	Evarts	Kelley E E	Rogers	Tripp
Bulkley	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	Ware
Clark	Fish	Lewis T D	Sabine	West
Collier	Fordyce	Litchard	Sage H M	Whipple
Costello	Fowler	Martin	Sandford	Wilson
Cottle	Gardiner	Mason	Sands	Witter
Cotton				

Mr. Speaker stated the question to be upon the motion of Mr. Maher to amend said resolution.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Maher, and it was determined in the negative.

{ AYES 61 }
{ NOES 87 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Juengst	Palmer	Schoeneck
Barrett	Gale	Kane	Phillips	Sharkey
Bashford	Gallagher	Kullman	Pickett	Siems
Baum	Gould	Maher	Poth	Sloane J J
Boland	Green	Mangin	Redington	Smith J E
Brennan J F	Grossman	McInerney	Riedman	Streifler
Cain	Guider	McKeown	Rierdon	Sullivan T P
Collins	Harburger	Meister	Roche	Sullivan W J
Dean	Heller	Meyer	Sage S B	Torborg
Dillon	Henderson	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connor	Schmid F	Wissel
Finn				

Those who voted in the negative, were

Adler	Coughtry	Graham	Mazet	Sawyer
Allds	Cowles	Greenwood	McEwan	Sears

Apgar	Cross	Hallock	McMillan	Slater
Axtell	Darrison	Hatch	Miles	Sloane C A
Babcock	Davis	Hays	Murphy	Smith J T
Baker	De Graw	Henry	Paris	Snyder
Bedell	Delaney	Hill	Patton	Sprague
Beede	Doughty	Hitchcock	Post	Stoneman
Brennan E C	Dutton	Johnson	Roberts	Ten Eyck
Brewster	Ellis	Kelley E E	Rodenbeck	Thorn
Bryan	Evarts	Kelly G T	Rogers	Tripp
Bulkley	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	Ware
Clark	Fish	Lewis T D	Sabine	West
Collier	Fordyce	Litchard	Sage H M	Whipple
Costello	Fowler	Martin	Sandford	Wilson
Cottle	Gardiner	Mason	Sands	Witter
Cotton	Gleason			

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Coughtry	Graham	Mazet	Sands
Allds	Cowles	Greenwood	McEwan	Sawyer
Apgar	Cross	Hallock	McMillan	Sears
Axtell	Darrison	Hatch	Miles	Slater
Babcock	Davis	Hays	Murphy	Sloane C A
Baker	De Graw	Heller	Palmer	Smith J T
Bedell	Delaney	Henry	Paris	Snyder
Beede	Doughty	Hill	Patton	Sprague
Brennan E C	Dutton	Hitchcock	Post	Stoneman
Brewster	Ellis	Johnson	Roberts	Ten Eyck
Bryan	Evarts	Kelley E E	Rodenbeck	Thorn
Bulkley	Fallows	Kelsey	Rogers	Tripp
Burnett	Fancher	Lewis M E	Rowe	Vincent
Clark	Fish	Lewis T D	Russell	West
Collier	Fordyce	Litchard	Sabine	Whipple
Costello	Fowler	Martin	Sage H M	Wilson
Cottle	Gardiner	Mason	Sandford	Witter
Cotton	Gleason			

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Ware and Gould, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that there be a close call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on said resolutions, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolutions, as reported by the committee on affairs of cities, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 87 }
{ NOES 7 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McEwan	Sears
Allds	Cowles	Greenwood	McMillan	Slater
Apgar	Cross	Hallock	Miles	Sloane C A
Axtell	Darrison	Hatch	Murphy	Smith J T
Babcock	Davis	Hays	Paris	Snyder
Baker	De Graw	Henry	Patton	Sprague
Bedell	Delaney	Hill	Post	Stoneman
Beede	Doughty	Hitchcock	Roberts	Ten Eyck
Brennan E C	Dutton	Johnson	Rodenbeck	Thorn
Brewster	Ellis	Kelley E E	Rogers	Tripp
Bryan	Evarts	Kelsey	Rowe	Vincent
Bulkley	Fallows	Lewis M E	Russell	Ware
Burnett	Fancher	Lewis T D	Sabine	West
Clark	Fish	Litchard	Sage H M	Whipple
Collier	Fordyce	Martin	Sandford	Wilson
Costello	Fowler	Mason	Sands	Witter
Cottle	Gardiner	Mazet	Sawyer	Speaker
Cotton	Gleason			

Those who voted in the negative, were

Gould	Kane	McKeown	Palmer	Rierdon
Heller	Kelly G T			

Mr. Allds moved that all further proceedings, under the close call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Fowler, Int. No. 1390, entitled "An act to amend chapter 117 of the Laws of 1888, entitled 'An act to incorporate Post James M. Brown Memorial Hall Association, and to create a trust for the disposition of its funds and property'" (No. 1854), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. J. J. Sloane, Int. No. 887, entitled "An act to grant to the city of Yonkers certain land under water on the Hudson river, below high water mark, for purposes of a public street and bridge, and certain other land adjacent thereto for slip purposes" (No. 1015), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by the committee to investigate the Surrogates' Court of New York, Int. No. 1314, entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property" (No. 1700), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bedell, Int. No. 716, entitled "An act to amend chapter 206 of the Laws of 1896, entitled 'An act to amend chapter 326 of the Laws of 1895, as amended by chapter 706 of the Laws of 1895, entitled An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit'" (No. 781), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was

referred the bill introduced by Mr. Fowler, Int. No. 1426, entitled "An act to authorize the Jamestown Co-operative Supply Company to issue non-transferable stock" (No. 1902), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the concurrent resolution introduced by Mr. M. E. Lewis, Int. No. 1425, entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article 3, section 18, of the Constitution, relating to exemptions of real and personal property from taxation" (No. 1901), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Slater, Int. No. 1369, entitled "An act to amend the Domestic Relations Law, relating to the effect of legitimatizing illegitimate children" (No. 1802), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1344, entitled "An act to amend chapter 711 of the Laws of 1881, entitled 'An act to revise, consolidate and amend the several acts relating to the New York State Reformatory at Elmira,' relating to sentence of persons confined therein" (No. 1766), reported in favor of the passage of the same, with the following amendments:

Page 1, line 7, insert semicolon after the word "act," also insert a bracket before the first word "and," also after the word "act" insert the following: "but the court may determine and impose the maximum term of imprisonment within the limitations prescribed by the law for the offense."

Page 2, line 3, put the word "shall" in brackets and insert the word "may" in place thereof, also before the word "but" insert a bracket and after the word "sentenced" in line 6 put a bracket.

Same page, line 7, make section 2 read section 3.

Make section 2 read as follows: "all acts and part of acts inconsistent herewith are hereby repealed."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Fallows, Int. No. 1293, entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging house keepers." (No. 1839), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Sawyer, Int. No. 1374, entitled "An act to legalize the acts of C. Allington Dains, a notary public" (No. 1817), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Adler, Int. No. 1040, entitled "An act for the relief of old and faithful officers and employees in the civil service of the State, and of cities of the first and second class in the State" (No. 1229), reported the same, with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 4, strike out all the words after the word "people," all of line 5, and including the word "state" in line 6.

Page 2, line 10, strike out the word "civil" and insert the word "said."

Same page, line 12, strike out the word "civil" and insert the word "said."

Same page, line 16, strike out the word "civil" and insert the word "said."

Amend the title, by inserting after the word "relief" the words "and to pension."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ellsworth, Rec. No. 206, entitled "An act to amend section 23 of the Public Officers Law, relating to removals by the Governor" (No. 951), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. W. J. Sullivan, Int. No. 1411, entitled "An act to amend the Highway Law, in relation to the adoption of the money system" (No. 1875), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Mason, Int. No. 1410, entitled "An act to legalize the election of three assessors for a full term of two years each at the town meeting held in the town of Florence, in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890" (No. 1874), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Evarts, Int. No. 1434, entitled "An act to legalize the appropriation of \$14,000, made by a majority of the electors of the town of Carlton, Orleans county, N. Y., at the last annual town meeting in said town on March 14, 1899" (No. 1931), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Doughty, Int. No. 1422, entitled "An act to define the liberties of the jail in and for the county of Queens" (No. 1898), retaining its place on the order of

third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Thorn, Int. No. 1442, entitled "An act to amend chapter 39 of the Laws of 1896, entitled an act 'to provide for the election of a police justice in the town of Esopus and in the county of Ulster, passed 1896'" (No. 1939), reported in favor of the passage of the same, with the following amendment:

Insert in the title after the word "ninety-six" the words "relative to term of police justice."

W. G. COTTLE,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was recommitted the bill introduced by Mr. Sanders, Int. No. 313, entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (No. 321), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. E. C. Brennan, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Wissel, Int. No. 342, entitled "An act to regulate the fares for foot passengers on the ferry operated between Long Island City, in the borough of Queens and Thirty-fourth street, borough of Manhattan, New York city" (No. 353), reported in favor of the passage of the same, with the following amendment:

Page 1, line 1, after the word "passengers" insert the words "and foot passengers with a bicycle."

E. C. BRENNAN,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Slater, Int. No. 1398, entitled "An act to amend section 2 of chapter 560 of the Laws of 1853, entitled 'An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal Church in the diocese of New York,' passed July 18, 1853, as amended by chapter 15 of the Laws of 1887, passed February 16, 1887" (No. 1862), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 167, entitled "An act to incorporate the 'Improved Order of Red Men's Home Association of New York'" (No. 892), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter. (No. 1644, Int. No. 559.)

"An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the revised statutes, relating to the rate of interest." (No. 1319, Int. No. 175.)

Ordered that said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1896) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' as amended by chapter 131 of the Laws of 1886, and as amended by chapter 82 of the Laws of 1894, and as amended by chapter 661 of the Laws of 1895, and as amended by chapter 25 of the Laws of 1897, and as amended by chapter 45 of the Laws of 1899" (Int. No. 1420), reported the same with the following recommendations:

Page 2, line 5, after the word "ninety-five" insert the words "as amended by chapter forty-five of the laws of eighteen hundred and ninety-nine."

Page 3, line 10, after the word "attorney" insert "comma."

Page 4, line 4, underscore the words "or clerk."

Same page, line 10, after the word "furnish" insert the word "to."

Same page, line 13, after the word "same" the last word on line 13 insert "comma."

Same page, line 14, after the word "thereof" insert "comma."

Same page, line 17, after the word "same" before the word "nor" insert "comma."

Amend the title to read as follows:

"An act to amend chapter three hundred and forty-eight of the laws of eighteen hundred and eighty-five, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to the appointment of typewriters to take evidence before grand juries."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act for the protection of the public health, and to provide for medical attendance at places of public entertainment." (No. 1909, Int. No. 1054.)

"An act to amend chapter 379 of the Laws of 1862, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner and overseers of highways in that district,' relative to exemptions." (No. 1958, Int. No. 598.)

"An act to amend the Consolidated School Law, relative to alteration of school districts by commissioners." (No. 1908, Int. No. 218.)

"An act to amend sections 2647, 2649, 2651, 2652, 2653a, 2626, and 2627 of the Code of Civil Procedure, relating to revocation of probate." (No. 1945, Int. No. 303.)

“An act to amend the Fisheries, Game and Forest Law, in relation to fishing in Lake Erie.” (No. 1907, Int. No. 1266.)

“An act to amend the Town Law, in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898.” (No. 1906, Rec. No. 144.)

“An act to amend chapter 212 of the Laws of 1898, entitled ‘An act in relation to the militia, constituting chapter 16 of the general laws,’ relative to the use of armories.” (No. 1910, Int. No. 275.)

“An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the revised statutes, relating to the rate of interest.” (No. 1319, Int. No. 175.)

Mr. Speaker announced the special order, being the bill (No. 1813) entitled “An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners” (Int. No. 607), having been announced for a second reading,

On motion of Mr. Streifler, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 1100) entitled “An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office” (Int. No. 948), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1099) entitled “An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office” (Int. No. 947), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No.

1101) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office" (Int. No. 949), having been announced for a second reading,

On motion of Mr. Wilson, and by unanimous consent, said bill was made a special order on second and third reading for Thursday next immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1399) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning." (Int. No. 1142.)

Said bill having been announced for a second reading,

Mr. Wilson moved to amend said bill as follows:

Page 1, line 3, after the word "seven" insert the words "entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof.'"

Page 2, line 9, after the word "superintendent" insert the words "one assistant foreman."

Same page, line 23, after the word "necessary" insert a semicolon.

Page 3, line 8, strike out the word "compensation" and insert the word "compensations."

Same page, line 24, after the words "each" insert the words "of the drivers, seven hundred and twenty dollars each,"

Page 5, line 22, by striking out the words "prescribed for herein as to other contracts" and inserting the words "herein prescribed for the advertising and execution of other contracts."

Page 6, by adding: "§ 2. This act shall take effect immediately."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was ordered reprinted and restored to its place on the order of second reading.

Mr. Kelsey in the chair.

Mr. Speaker announced the special order, being the bill (No. 1835) entitled "An act to authorize the common council of the city of Rochester to raise money for the purpose of purchasing sites and erecting new public school buildings thereon in such city." (Int. No. 1409.)

Said bill having been announced for a third reading,

Mr. Allds moved a call of the members' of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Cotton	Graham	Mazet	Sands
Allds	Coughtry	Greenwood	McEwan	Sawyer
Apgar	Cowles	Hallock	McKeown	Schmid F
Axtell	Cross	Hatch	McMillan	Sears
Babcock	Darrison	Hays	Miles	Slater
Baker	Davis	Heller	Murphy	Sloane C A
Barrett	De Graw	Henry	O'Connor	Smith J T
Bedell	Delaney	Hill	Palmer	Snyder
Beede	Doughty	Hitchcock	Paris	Sprague
Brennan EC	Ellis	Johnson	Patton	Stoneman
Brennan JF	Evarts	Kane	Post	Ten Eyck
Brewster	Fallows	Kelley E E	Rierdon	Tripp
Bryan	Fancher	Kelsey	Roberts	Vincent
Bulkley	Fish	Lewis M E	Rodenbeck	Ware
Burnett	Fordyce	Lewis T D	Rogers	West
Clark	Fowler	Litchard	Rowe	Whipple
Collier	Gardiner	Mangin	Russell	Wilson
Collins	Gleason	Martin	Sage H M	Wingenfeld
Costello	Gould	Mason	Sandford	Witter
Cottle				

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Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 86 }
{ NOES 7 }

Those who voted in the affirmative, were

Adler	Coughtry	Gleason	Mazet	Sawyer
Allds	Cowles	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater
Axtell	Darrison	Hallock	Miles	Sloane C A
Babcock	Davis	Hatch	Murphy	Smith J T
Baker	DeGraw	Hays	Paris	Snyder
Bedell	Delaney	Henry	Patton	Sprague
Beede	Doughty	Hill	Post	Stoneman
Brennan E C	Dutton	Hitchcock	Roberts	Ten Eyck
Brewster	Ellis	Johnson	Rodenbeck	Thorn
Bryan	Evarts	Kelley E E	Rogers	Tripp
Bulkley	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	Ware
Clark	Fish	Lewis T D	Sabine	West
Collier	Fordyce	Litchard	Sage H M	Whipple
Costello	Fowler	Martin	Sandford	Wilson
Cottle	Gardiner	Mason	Sands	Witter
Cotton				

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Those who voted in the negative, were

Bashford	J F Green	McKeown	Palmer	Rierdon
Brennan	Mangin			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 451) entitled "An act to repeal section 1226 of chapter 378, entitled 'An act to unite in one municipality under the corporate name of The City of New York the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and antitoxine" (Int. No. 431), having been announced for a third reading,

On motion of Mr. Collier, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 574) entitled "An act to facilitate the proving of the incorporation of new corporations formed by the consolidation of two or more corporations" (Rec. No. 177), having been announced for a third reading,

On motion of Mr. Collier, and by unanimous consent said bill was made a special on third reading for to-morrow immediately after the reading of the journal.

The Senate bill (No. 925) entitled "An act to provide for the paving of Broad street and portions of the street intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor" (Rec. No. 182), having been announced for a third reading,

On motion of Mr. West, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 466) entitled "An act to amend chapter 71 of the Laws of 1898, entitled 'An act to authorize the board of supervisors of Monroe county to appoint a board of sidepath commissioners and to provide revenue for the repair and construction of sidepaths for bicycles'" (Rec. No. 58), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McKeown	Sandford
Allds	Cross	Guider	McMillan	Sands
Apgar	Darrison	Harburger	Meister	Schmid A F
Axtell	Davis	Hatch	Meyer	Schmid F

Babcock	Dean	Hays	Miles	Schoeneck
Baker	De Graw	Heller	Mohring	Sears
Ball	Delaney	Henderson	Murphy	Siems
Barrett	Dillon	Henry	O'Connell	Sloane C A
Bashford	Doughty	Hitchcock	O'Connor	Sloane J J
Baum	Dutton	Hoffman	Palmer	Smith J E
Bedell	Egan	Johnson	Phillips	Snyder
Beede	Ellis	Juengst	Pickett	Sprague
Boland	Fallows	Kelley E E	Post	Stoneman
Brennan J F	Fancher	Kelly G T	Poth	Streifler
Brewster	Farrell	Kelsey	Riedman	Sullivan W J
Brown	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roche	Thorn
Cain	Fordyce	Lewis T D	Rodenbeck	Torborg
Clark	Fowler	Litchard	Rowe	Tripp
Collier	Gallagher	Martin	Russell	Vincent
Collins	Gleason	Mason	Sabine	Ware
Costello	Gould	Mazet	Sage H M	Whipple
Cotton	Graham	McEwan	Sage S B	Wingeneeld
Coughtry	Greenwood	McInerney	Sanders	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker resumed the chair.

The Senate bill (No. 116) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (Rec. No. 163), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES. 00 }

Those who voted in the affirmative, were

Alder	Darrison	Hallock	Meyer	Sands
Allds	Davis	Harburger	Miles	Sawyer
Apgar	Dean	Hays	Mohring	Schmid A F
Axtell	DeGraw	Heller	Murphy	Schoeneck

Baker	Delaney	Henry	O'Connell	Sharkey
Ball	Dillon	Hill	O'Connor	Siems
Barrett	Doughty	Hoffman	Palmer	Slater
Bashford	Dutton	Hutton	Paris	Sloane C A
Baum	Egan	Johnson	Phillips	Sloane J J
Beede	Ellis	Juengst	Pickett	Smith J E
Boland	Evarts	Kane	Post	Smith J T
Brennan J F	Fallows	Kelly G T	Poth	Sprague
Brewster	Farrell	Kelsey	Redington	Streifer
Bryan	Finn	Kullman	Reidman	Sullivan T P
Bulkley	Fish	Lewis M E	Rierdon	Sullivan W J
Burnett	Fitzgerald	Lewis T D	Roberts	Ten Eyck
Cain	Fordyce	Litchard	Roche	Torborg
Clark	Fowler	Martin	Rodenbeck	Trainor
Collier	Gale	Mason	Rogers	Tripp
Collins	Gallagher	Mazet	Rowe	Vincent
Costello	Gardiner	McEwan	Russell	Ware
Cottle	Gould	McInerney	Sabine	West
Cotton	Graham	McKeown	Sage H M	Wilson
Coughtry	Green	McMillan	Sanders	Wingenfeld
Cowles	Greenwood	Meister	Sandford	Wissel
Cross	Grossman			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 847) entitled "An act to amend chapter 110 of the Laws of 1852, entitled 'An act to authorize the inhabitants of the town of Oyster Bay, in the county of Queens, to elect three assessors for said town'" (Rec. No. 160), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Gould	Mazet	Sandford
Alds	Cowles	Graham	McEwan	Sawyer
Appar	Cross	Green	McInerney	Schmid A F

Axtell	Darrison	Greenwood	McKeown	Schmid F
Babcock	Davis	Guider	Meister	Schoeneck
Baker	Dean	Hallock	Meyer	Sears
Ball	De Graw	Harburger	Miles	Sharkey
Barrett	Delaney	Hatch	Mohring	Siems
Bashford	Dillon	Heller	Murphy	Slater
Baum	Doughty	Henderson	O'Connell	Sloane J J
Bedell	Dutton	Henry	Palmer	Smith J E
Boland	Egan	Hitchcock	Paris	Smith J T
Brennan E C	Ellis	Hoffman	Patton	Snyder
Brennan J F	Evarts	Johnson	Phillips	Stoneman
Brown	Fallows	Juengst	Post	Sullivan T P
Bryan	Fancher	Kane	Poth	Sullivan W J
Bulkley	Farrell	Kelley E E	Riedman	Thorn
Burnett	Finn	Kelsey	Rierdon	Torborg
Cain	Fish	Kullman	Roberts	Tripp
Clark	Fitzgerald	Lewis M E	Rodenbeck	Ware
Collier	Fordyce	Lewis T D	Russell	Whipple
Collins	Gale	Litchard	Sabine	Wilson
Costello	Gallagher	Mangin	Sage H M	Wingenfeld
Cottle	Gardiner	Martin	Sage S B	Wissel
Cotton	Gleason	Mason	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1841) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, relating to temporary designations by the Governor of justices to the appellate division" (Int. No. 1328), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading.

On motion of Mr. Slater, and by unanimous consent, said bill was made a special order on third reading for Thursday next immediately after the reading of the journal.

The bill (No. 1921) entitled "An act to amend the Code of Civil Procedure, relating to inventory appraisals of the estates of decedents" (Int. No. 1322), having been announced for a second reading,

Mr. Fallows moved to amend said bill as follows:

Page 2, line 22, after the word "and" insert the words "a true copy of."

Same page, same line, strike out the word "when" and insert the words "may be."

Same page, line 23, after the word "surrogate" insert the words "and indexed as an inventory whereupon it."

Make lines 22 to 25 on said page shall read as follows: "and a true copy of the report of the transfer tax appraiser may be filed in the office of the surrogate and indexed as an inventory, whereupon it shall be deemed to be an inventory returned by the executor or administrator for all purposes required in any of the provisions of this chapter."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was ordered reprinted and restored to its place on the order of second reading.

Pursuant to notice, Mr. Mazet called up the bill (No. 753) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof,' relating to newspapers to be designated in which corporate notices are to be advertised" (Int. No. 691), heretofore laid aside on the order of third reading.

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	McEwan	Sage S B
Allds	Cowles	Greenwood	McInerney	Sanders
Apgar	Cross	Grossman	McMillan	Sandford

Axtell	Darrison	Guider	Meister	Sands
Babcock	Davis	Hallock	Meyer	Sawyer
Baker	Dean	Hatch	Miles	Schmid A F
Ball	De Graw	Hays	Mohring	Schoeneck
Barrett	Delaney	Heller	Murphy	Sharkey
Bashford	Dillon	Henderson	O'Connell	Siems
Baum	Doughty	Hill	O'Connor	Slater
Bedell	Dutton	Hitchcock	Paris	Sloane J J
Beede	Egan	Hoffman	Patton	Smith J E
Boland	Ellis	Hutton	Pickett	Smith J T
Brennan E C	Everts	Juengst	Post	Snyder
Brennan J F	Fallows	Kane	Poth	Stoneman
Brewster	Farrell	Kelly G T	Riedman	Sullivan T P
Bryan	Finn	Kelsey	Redington	Ten Eyck
Bulkley	Fish	Kullman	Rierdon	Torborg
Burnett	Fitzgerald	Lewis M E	Roberts	Tripp
Cain	Fordyce	Lewis T D	Roche	Ware
Clark	Gale	Litchard	Rodenbeck	West
Collier	Gallagher	Martin	Rogers	Wilson
Collins	Gardiner	Mason	Rowe	Wingenfeld
Costello	Gleason	Mazet	Sage H M	Witter
Cottle	Gould			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Delaney called up the bill (No. 816) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department" (Int. No. 402), heretofore recalled from the Governor, pursuant to concurrent resolution of the Senate and Assembly.

Mr. Delaney moved that the vote by which said bill was passed be reconsidered.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 112 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Hutton	O'Connell	Sharkey
Allds	Cowles	Juengst	O'Connor	Siems
Apgar	Cross	Kane	Palmer	Slater
Axtell	Davis	Kelley E E	Paris	Sloane C A
Babcock	Dean	Kelly G T	Patton	Sloane J J
Baker	Delaney	Kelsey	Phillips	Smith J T
Barrett	Dutton	Kullman	Post	Smith J E
Bashford	Ellis	Lewis M E	Poth	Snyder
Baum	Fallows	Lewis T D	Redington	Sprague
Bedell	Farrell	Litchard	Riedman	Stoneman
Beede	Fish	Mangin	Rierdon	Streifler
Boland	Fordyce	Martin	Roche	Sullivan W J
Brennan J F	Fowler	Mason	Rodenbeck	Ten Eyck
Brewster	Gardiner	Mazet	Rowe	Torborg
Brown	Gleason	McEwan	Russell	Trainor
Bryan	Graham	McInerney	Sage H M	Tripp
Burnett	Greenwood	McKeown	Sage S B	Vincent
Cain	Hallock	McMillan	Sandford	Ware
Clark	Hays	Meister	Sands	West
Collier	Henderson	Miles	Schmid A F	Wilson
Collins	Hill	Mohring	Schoeneck	Wingenfeld
Costello	Hitchcock	Murphy	Sears	Witter
Cottle	Hoffman			

Mr. Delaney moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 13, beginning with word "positions" strike out all down to and including the word "city" on line 12, and insert the following words: "respective positions. And the board is hereby authorized and empowered to appoint said persons policemen of said city in addition to the number of policemen heretofore authorized by law."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mazet, from the committee on affairs of cities, reported said bill, amended as directed, and the same was ordered reprinted and placed on the order of third reading.

A message was received from the Senate in words following:

IN SENATE, *March 28, 1899.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 1024) entitled "An act

to amend section 6 of the Code of Civil Procedure, in relation to a court transacting business on Sunday." (Rec. No. 43.)

The vote upon the final passage of the said bill having been reconsidered, on motion of Mr. Brown, and by unanimous consent the same was amended as follows:

Page 2, line 6, strike out the words "or an injunction order."

Same page, same line, after the word "accompanied" insert the words "by an injunction order and."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Said bill, together with said amendments, was referred to the committee on codes.

The Senate returned the bill (No. 906, Senate reprint No. 1082,) entitled "An act making appropriations for the support of government" (Int. No. 400), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, line 1, strike out the word "private" and change "of" to "to."

Same page, line 5, strike out the words "full compensation" and insert the word "salaries."

Same page, same line, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 7, strike out the word "blanks."

Same page, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 14, after the word "salaries" strike out the word "and" and insert the words "seventy thousand five hundred dollars; for necessary."

Same page, line 15, after the word "expenses" strike out the word "ninety-six" and insert the word "twenty-five;" also strike out the word "four" and insert the word "nine"

Same page, at the end of line 26, insert the following: "For compensation of an attendant to the court of appeals to be known as attorneys' messenger, who shall have charge and supervision of the attorneys' and cloak rooms adjacent to the court room of the court of appeals, pursuant to section one hundred and ninety-eight of the code of civil procedure, the sum of nine hundred dollars."

Page 3, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 10, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 14, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 4, line 9, after the word "for" insert the words "the necessary" and before the word "justices" insert the word "several." Strike out the word "of" where it occurs the second time, and insert the words "assigned to" and change the word "division" to "divisions."

Page 6, line 19, strike out the word "twenty-eight" and insert the word "nineteen;" also strike out the word "nine" and insert the word "two."

Page 7, line 1, before the word "expenses" insert the word "necessary;" strike out the words "and disbursements" and after the word "attorney-general" insert the words "while in the discharge of his official duties."

Same page, strike out all of line 2.

Same page, line 3, strike out the words "payable quarterly" and insert the words "or so much thereof as may be necessary."

Same page, line 4, before the word "expenses" insert the word "necessary" and strike out the words "and disbursements."

Same page, line 5, before the word "duties" insert the word "official."

Same page, line 6, strike out the words "payable quarterly" and insert the words "or so much thereof as may be necessary."

Same page, line 9, strike out the words "designate their salaries" and insert the words "fix their salaries except when fixed by law."

Same page, line 15, after the word "salaries" insert the words "fifteen thousand dollars" and after the word "and" insert the words "for their necessary" and after the word "expenses" insert the words "while in the discharge of their official duties, five hundred dollars each, or so much thereof as may be necessary."

Same page, strike out all of lines 14, 15 and 16.

Same page, line 25, strike out the word "four" and insert the word "three."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 8, line 1, strike out the words "of every name and nature hereafter."

Same page, line 3, after the word "treasury" insert the word "monthly."

Same page, line 10, strike out the word "six" and insert the word "three;" also strike out the word "five" and insert the

word "eight;" and after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 13, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 16, after the word "dollars" insert the words "For the second deputy comptroller, for salary, four thousand dollars."

Same page, line 17, strike out the word "fifty-two" and insert the word "forty-nine."

Same page, line 18, strike out the words "five hundred" and after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 23, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 9, line 1, after the word "ninety-two" insert the word "and;" strike out the word "the" and insert the word "such."

Same page, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 16, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 21, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 23, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 10, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 7, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 11, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 24, strike out the word "fifteen" and insert the word "twelve." After the word "dollars" insert the words "or so much thereof as may be necessary."

Page 11, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 7, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 12, line 9, strike out the word "and" and insert the words "of which sum."

Page 13, line 3, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 14, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 15, line 3, after the word "dollars" strike out the rest

of that line; also lines 4 and 5, and insert the following: "For the necessary expenses of the several tax commissioners while in the discharge of their official duties, the sum of one thousand five hundred dollars, or so much thereof as may be necessary. For the salary of the clerk, two thousand dollars. For clerical help, one thousand dollars; and for other office expenses, five hundred dollars, or so much thereof as may be necessary."

Page 15, strike out lines 10, 11, 12 and 13, and insert the following: "For services and expenses of appraisers, for printing, advertising and all other necessary expenses incurred by the commissioners of the land office, under the public lands law, five thousand dollars, or so much thereof as may be necessary."

Same page, line 23, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 16, line 7, strike out the word "or" and insert the word "and."

Same page, line 18, strike out the word "four" and insert the word "five;" strike out the word "eight" and insert the word "seven."

Same page, line 19, before the word "dollars" insert the words "and sixty."

Page 17, line 7, after the word "receive" insert the words "for their services."

Same page, line 8, before the word "dollars" insert the words "and sixty;" strike out the word "for their services" and insert the words "herein appropriated."

Same page, line 10, strike out the word "late" and after the word "war" insert the words "of the rebellion."

Same page, line 20, strike out the word "for" also lines 21 and 22 down to the word "and" where it occurs the second time.

Page 18, line 2, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 8, strike out the word "high," also the words "and academies," and after the word "schools" insert the words "of academic grade."

Same page, line 15, after the word "dollars" insert the words "or so much thereof as may be necessary." Strike out the remainder of line 15, and lines 16, 17 and 18.

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 19, line 12, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 18, after the word "dollars" strike out the rest of the line, and all of line 19, and insert the words "or so much thereof as may be necessary."

Page 20, line 12, after the word "law" insert the following:

"but the comptroller shall not draw a warrant for any part of said eighty-six thousand dollars payable to or for the benefit of any association, club, society or fair until a sworn statement signed by the president and secretary thereof has been filed with the comptroller showing the exact amount paid during the preceding year for dividends on stock or salaries of officers, except a salary to the secretary not exceeding one hundred dollars, and the amount so shown to have been paid for such purpose shall be deducted from the amount that would otherwise be payable to such society under this appropriation."

Same page, line 14, after the word "Geneva" strike out remainder of the line and remainder of the paragraph to and including line 22, and insert the following: "for salaries of the scientific staff and clerical force, twenty-three thousand dollars; for labor, including engineers, janitors, laboratory helpers, gardeners, herdsmen, teamsters, poultrymen, watchmen and other necessary labor, twelve thousand dollars, or so much thereof as may be necessary; for necessary expenses in conducting researches in plant nutrition, diseases of plants, injurious insects, bacteriology, horticulture, dairy practice and poultry keeping, fifteen thousand dollars, or so much thereof as may be necessary."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 21, line 3, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 18, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 22, line 3, after the word "mapping" insert the words "but excluding."

Same page, same line, after the word "engraving" insert the words "which said lithographing and engraving shall be paid for from the appropriations herein made for the department ordering the same."

Same page, same line, strike out the word "one" and insert the word "two."

Same page, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 13, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 19, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 23, after the word "clerk" insert the words

"while engaged in the performance of their official duties, one thousand," and strike out the words "five hundred;" also after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 25, strike out the word "six" and insert the word "nine."

Same page, line 26, strike out the word "five" and insert the words "nine," and after the word "hundred" insert the word "twenty," and after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 23, line 3, strike out the word "fifteen" and insert the word "twelve," and after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 22, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 24, line 1, change the word "salary" to salaries."

Same page, line 2, strike out the words "five hundred." Also strike out the word "three" at the end of the line.

Same page, line 3, strike out the word "hundred." Also strike out the words "five hundred" at the end of the same line.

Same page, line 4, strike out the words "two hundred."

Same page, line 5, strike out the word "eight" and insert the word "five."

Page 25, strike out lines 6, 7, 8, 9 and 10, inclusive, and insert the following: "For the salary of the adjutant-general, four thousand dollars; for the salary of the assistant adjutant-general's military storekeeper and clerical force, as provided in section one hundred and sixty-one of the military code, twenty-three thousand dollars; for salaries of officers on the staff of the major-general commanding the national guard, and for clerical services, as provided by section one hundred and sixty of the military code, fifteen thousand dollars; for allowances to headquarters of the national guard, brigades, regiments, battalions and squadron, as provided in section one hundred and fifty-nine of the military code, thirty-four thousand eight hundred dollars; for allowances to officers to assist in uniforming and equipping themselves and organizations for the purpose of defraying necessary military expenses as provided in sections one hundred and fifty-six and one hundred and fifty-seven of the military code, one hundred and fifty-seven thousand dollars; for other general expenses of the national guard and naval militia of the state and the office of the

adjutant-general, to be expended in accordance with the military code, one hundred and sixty-six thousand two hundred dollars."

Same page, strike out lines 12, 13, 14 and 15, inclusive, and insert the following: "For the civil service commissioners, for salaries, six thousand dollars. For the necessary expenses of the several commissioners while in the discharge of their official duties, one thousand eight hundred dollars, or so much thereof as may be necessary."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 26, line 6, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 8, after the word "commission" strike out the rest of that line and all of line 9, and insert the words "eight thousand seven hundred dollars, or so much thereof as may be necessary." Also insert the words "for the necessary traveling expenses of the secretary while in the discharge of his official duties, three hundred dollars, or so much thereof as may be necessary."

Same page, line 12, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 22, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 24, after the word "dollars" insert the words "or so much thereof as may be necessary." Also insert the words "For expense of publishing bulletins, one thousand dollars, or so much thereof as may be necessary."

Same page, strike out all of lines 26 and 27.

Page 27, strike out lines 1 to 7, inclusive, and insert the following: "For salaries of commissioners of fisheries, game and forest, thirteen thousand dollars; for their expenses, four thousand dollars; for the salary of the fish culturist, three thousand dollars; and for his necessary expenses, while in the discharge of his official duty, nine hundred dollars, or so much thereof as may be necessary; for the salary of the superintendent of forests, three thousand dollars, and for his necessary expenses while in the discharge of his official duty, nine hundred dollars, or so much thereof as may be necessary; for the salary of the assistant secretary eighteen hundred dollars, and for his necessary expenses while in the discharge of his official duties, two hundred dollars, or so much thereof as may be necessary; for clerk hire in the office of the commission, four thousand one hundred dollars, or so much thereof as may be necessary; for the salaries of a chief protector, special agent and thirty-two protectors, twenty-two thousand six hundred dollars; for the expenses of such chief, assistant chiefs, protectors and special agent while in the discharge

of their official duties fifteen thousand four hundred dollars, or so much thereof as may be necessary; for the salaries of two oyster protectors and assistant oyster protector, and a cashier in the shell-fish department, four thousand one hundred dollars, and for their expenses while in the discharge of their official duties, fifteen hundred dollars, or so much thereof as may be necessary; for the salary of a superintendent of hatcheries, two thousand five hundred dollars, and for his expenses while in the discharge of his official duty, six hundred dollars, or so much thereof as may be necessary; for the expense and maintenance of fish hatcheries and hatching stations and for the propagation and distribution of food and game, fish and fish fry, other than salaries, forty-six thousand four hundred dollars; for stationery, printing and office expenses of the commission, three thousand seven hundred and fifty dollars."

Same page, line 12, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 28, line 7, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 13, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 19, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 20, after the word "blanks" insert the word "and." Strike out the remainder of the line after "printing," also line 21, and insert the following: "two thousand dollars, or so much thereof as may be necessary. For the necessary traveling expenses while in the discharge of official duties, twenty-five hundred dollars, or so much thereof as may be necessary."

Page 31, line 11, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 32, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 11, strike out the word "seventy" and insert the word "fifty."

Same page, same line, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 17, strike out the word "seventy" and insert the word "ninety."

Same page, line 18, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 22, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 33, line 4, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 9, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 12, strike out the word "six" and insert the word "three."

Same page, line 13, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 16, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 19, after the word "dollars" strike out the remainder of the line, also lines 20 and 21, and insert the following: "for compensation and for the necessary traveling expenses of the commissioner and secretary while engaged in the discharge of their official duties, and for office expenses and clerk hire, ten thousand dollars, or so much thereof as may be necessary."

Same page, line 24, after the word "for" strike out the words "the traveling expenses of the commissioners and secretary" and insert the words "the necessary traveling expenses of the commissioners and secretary while engaged in the discharge of official duties and."

Same page, line 26, strike out the word "twenty" and insert the word "thirty."

Same page, same line, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 34, line 26, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 6, after the word "dollars" insert the words "or so much thereof as may be necessary."

At the bottom of page 27 add the following:

"STATE COMMISSION IN LUNACY.

"For the state care of the insane, to be expended under the provisions of chapter five hundred forty-five of the laws of eighteen hundred and ninety-six, chapter nine hundred and forty-four of the laws of eighteen hundred and ninety-six, chapter four hundred and sixty of the laws of eighteen hundred and ninety-seven, and chapter six hundred and thirty-six of the laws of eighteen

hundred and ninety-eight; but no part of any sum hereby appropriated for any purpose or purposes named, shall be available for any other purpose. For the state commissioners in lunacy, for salaries, traveling and incidental expenses, pursuant to chapter five hundred and forty-five of the laws of eighteen hundred and ninety-six, nineteen thousand six hundred dollars. For the salary of the secretary of the commission, four thousand dollars. For salaries of clerks, messengers, experts and other employees, twenty thousand dollars. For other clerical services, three thousand five hundred dollars. For compensation and expenses of special agents, fourteen thousand dollars. For printing, stationery, postage and other necessary office expenses four thousand dollars. For the pathological institute, thirty-six thousand dollars. For salaries of officers of state hospitals, the sum of two hundred and thirty-eight thousand dollars. For salaries and wages of all other employees of state hospitals, the sum of twelve hundred and fifty-two thousand dollars. For the support and maintenance of the state hospitals other than salaries and wages of officers and employees, the sum of two million two hundred and four thousand dollars. For buildings, repairs and improvements, the sum of twelve hundred and five thousand dollars.

Page 35, line 6, after the word "dollars" strike out the remainder of the line, also lines 7, 8 and 9, and insert the following: "for necessary traveling expenses of factory inspector, assistant inspector and deputies, while engaged in the discharge of official duties, and for all other necessary expenses of the office, twenty thousand three hundred dollars, or so much thereof as may be necessary."

Same page, line 14, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, same line, after the word "for" insert the word "necessary."

Same page, line 15, after the word "employees" insert the words "while engaged in the discharge of official duties."

Same page, line 15, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 20, after the word "salaries" insert the words "of employees."

Same page, same line, after the word "expenses" insert the words "while engaged in the discharge of official duties."

Same page, line 21, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, strike out lines 23 to 26, inclusive, and insert the following: "For salary of state commissioner of excise, five thousand dollars; expenses and disbursements, which shall be allowed him in lieu and in full of expenses, eighteen hundred dollars; salary of deputy commissioner, four thousand dollars; expenses and disbursements which shall be allowed him in lieu and in full of expenses, fifteen hundred dollars; for salary of four special deputy commissioners, namely, one for the boroughs of Manhattan and the Bronx, one for the borough of Brooklyn, one for the borough of Richmond, and one for Erie county; clerk hire, including counsel for Albany, New York, Brooklyn and Buffalo offices, salaries and expenses of sixty special agents, printing certificates, books, including books for county treasurers, law cases, blanks, office equipments, stationery and office supplies, rentals for New York, Brooklyn, Buffalo and Richmond offices, telegraphing, telephoning, expressing, including telephone rentals, expenses of enumeration and examining county treasurer's excise accounts, attorney's fees and disbursements, furniture, fittings, supplies, postage and other incidental expenses necessary to carry out the provisions of the liquor tax law, the sum of two hundred and fifteen thousand dollars, or so much thereof as may be necessary.

"For the state commissioner of excise, three hundred and fifty thousand dollars, or so much thereof as may be necessary, to pay refunds on surrender of liquor tax certificates, under the provisions of the liquor tax law, to be paid by the state treasurer from excise moneys in his hands upon the certificate of the comptroller."

Strike out all of page 36 down to the word "Miscellaneous," on line 24.

Page 37, line 3, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 20, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 24, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 38, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 10, change the word "per" to the words "as provided by."

Same page, line 14, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 15, change the word "per" to the words "as provided by."

Same page, line 17, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, at the end of line 19, insert the words "while in the discharge of their official duties."

Same page, line 22, after the word "ninety-seven" insert the following:

"PAYABLE FROM THE CANAL FUND.

"For paying the salaries and expenses of the collectors and compilers of statistics relating to the trade and tonnage of the canals, the expenses of the superintendent and ordinary repairs of the canal, the traveling expenses of the state engineer and surveyor, the salaries, traveling expenses, clerk hire and office expenses of the superintendent and assistant superintendents of public works, the clerk hire in the bureau of canal affairs and the incidental expenses of said bureau, and of the canal board, for the fiscal year commencing on the first day of October, eight-hundred and ninety-nine, the sum of nine hundred and twenty-five thousand dollars, to be distributed, applied, apportioned and disposed of as follows: For the salaries, traveling expenses, clerk hire and office expenses of the superintendent and assistant superintendents of public works, fifty thousand dollars, or so much thereof as may be necessary. For the salaries of the section superintendents thirty thousand dollars, or so much thereof as may be necessary. For the traveling expenses of the state engineer and surveyor, two thousand dollars; and for the traveling expenses of the deputy state engineer and surveyor and deputy superintendent of public works, one thousand dollars each, payable quarterly, in full, for all such expenses. For clerk hire, in the bureau of canal affairs, six thousand dollars, or so much thereof as may be necessary. For the salaries and compensation of the engineers employed upon the ordinary repairs of canals, including the incidental expenses of such engineers, thirty thousand dollars, or so much thereof as may be necessary. For the salaries and compensation of the collectors and compilers of the statistics relating to the trade and tonnage of canals, and the inspectors and measures of boats, including the incidental expenses of such collectors and inspectors, thirty thousand dollars, or so much thereof as may be necessary. For the payment of such incidental and miscellaneous expenses as are necessary to be paid out of the canal fund and charged to the account of the Erie and Champlain canal fund and the canal debt sinking fund, five thousand dollars, or so much thereof as may be necessary. For the payment of the expenses of lock-tending, and the ordinary repairs of the canals of the state, seven hundred and seventy thousand dollars, or so much thereof as may be necessary.

"In order that the appropriations made from the canal fund may be made available when needed, and before the money can

be realized from any tax authorized for such purpose, payment may be made from any moneys in the treasury to the credit of the canal fund, until said tax is collected and paid into the state treasury."

Page 39, line 1, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 22, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 27, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 40, line 10, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 41, line 3, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 7, strike out the word "high;" also strike out the words "and academies" and insert the words "of academic grade."

Same page, line 24, strike out the word "high;" also strike out the words "and academies" and insert the words "of academic grade."

Page 42, line 8, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 19, after the word "dollars" insert the words "or so much thereof as may be necessary."

Same page, line 23, after the word "dollars" insert the words "or so much thereof as may be necessary."

Page 43, line 4, after the word "expenditures" add the following: "Managers or trustees of any state, charitable, or other institution receiving moneys under this act from the state treasury, for maintenance and support, shall be entitled only to their actual and necessary traveling expenses in attending meetings of the board at the office of the institution, or in attendance on the state board of charities, or the state comptroller when requested by them to appear."

Mr. Allds moved to non-concur in the amendments of the Senate made thereto, and that the House request the appointment of a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the amend-

ments of the Senate made thereto, and request the appointment of a committee of conference thereon.

The Senate returned the bill (No. 505, Senate reprint No. 1032,) entitled "An act to amend the Highway Law, and the act amendatory thereof, relative to commutations of labor on highways" (Int. No. 102), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 4, after the word "of" insert the word "Rensselaer."

Mr. Burnett moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 114 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	Mazet	Sage H M
Allds	Cowles	Grossman	McEwan	Sage S B
Apgar	Cross	Hallock	McInerney	Sandford
Axtell	Darrison	Harburger	McKeown	Sands
Babcock	Davis	Hatch	Meister	Schmid A F
Baker	Dean	Heller	Meyer	Schoeneck
Ball	De Graw	Henderson	Miles	Sharkey
Barrett	Delaney	Henry	Murphy	Slater
Bashford	Doughty	Hill	O'Connell	Sloane C A
Bauin	Dutton	Hoffman	Palmer	Smith J E
Beede	Egan	Hutton	Paris	Smith J T
Boland	Ellis	Johnson	Phillips	Sprague
Brennan E C	Evarts	Kane	Pickett	Streifler
Brennan J F	Fallows	Kelley E E	Post	Sullivan W J
Brewster	Farrell	Kelly G T	Poth	Ten Eyck
Bryan	Finn	Kelsey	Riedman	Torborg
Bulkley	Fitzgerald	Kullman	Rierdon	Trainor
Burnett	Fordyce	Lewis M E	Roberts	Vincent
Clark	Fowler	Lewis T D	Roche	Ware
Collier	Gallagher	Litchard	Rodenbeck	Whipple
Costello	Gardiner	Mangin	Rowe	Wingenfeld
Cottle	Gould	Martin	Russell	Wissel
Cotton	Graham	Mason	Sabine	

Mr. Burnett moved to reconsider the vote by which said Senate amendments were concurred in.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on concurring in said Senate amendments, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Greenwood	McEwan	Sage H M
Allds	Darrison	Grossman	McInerney	Sage S B
Apgar	Dean	Guider	McKeown	Sandford
Axtell	De Graw	Hallock	McMillan	Sawyer
Babcock	Delaney	Harburger	Meister	Schmid F
Baker	Dillon	Hatch	Meyer	Schmid A F
Ball	Doughty	Hays	Mohring	Sharkey
Barrett	Dutton	Heller	Murphy	Siems
Bashford	Ellis	Henderson	O'Connell	Sloane C A
Bedell	Egan	Henry	O'Connor	Smith J E
Beede	Evarts	Hill	Palmer	Sprague
Boland	Fallows	Hoffman	Paris	Stoneman
Brennan E C	Farrell	Hutton	Patton	Sullivan T P
Brennan J F	Finn	Juengst	Phillips	Sullivan W J
Brewster	Fish	Kane	Pickett	Thorn
Bryan	Fitzgerald	Kelley E E	Poth	Torborg
Burnett	Fowler	Kelsey	Redington	Trainor
Cain	Gale	Kullman	Rierdon	Vincent
Clark	Gallagher	Lewis M E	Roberts	Ware
Collins	Gardiner	Lewis T D	Rodenbeck	Whipple
Costello	Gleason	Mangin	Rogers	Wilson
Cottle	Gould	Martin	Rowe	Wingenfeld
Cotton	Green	Mazet	Russell	Witter
Cowles				

Mr. Burnett moved that the Assembly do non-concur in said Senate amendments, and request the appointment of a committee of conference thereon.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have non-concurred in the amendment of the Senate made thereto, and request the appointment of a committee of conference thereon.

The Senate returned the bill (No. 1076, Senate reprint No. 1127) entitled "An act to regulate the laying and using of street surface railroad tracks upon Amsterdam avenue, in the city of New York, for the greater safety of the lives and limbs of the citizens of said city" (Int. No. 950), with a message that they have concurred in the passage of the same, with the following amendment:

Strike out all after the enacting clause and insert the following:

Section 1. It shall not be lawful to operate upon Amsterdam avenue, between Seventy-second street and One Hundred and Twenty-fifth street, in the borough of Manhattan in the city of New York, any street surface railroad upon the road or tracks of any street surface railroad company by any motive power other than horse power, unless the tracks or rails upon which said road is or shall be operated are so located in said avenue that they shall be at all points at least twenty feet distant from the nearest curb line of said avenue.

§ 2. Any street surface railroad company having, at the time of the passage of this act, a valid existing right to operate a street surface railroad by any power other than horse power upon the portion of Amsterdam avenue lying between Seventy-second street and One Hundred and Twenty-fifth street, shall have the right to place one or more of its rails between the rails of any other company operating on that portion of Amsterdam avenue, subject to the provisions of the first section of this act.

§ 3. This act shall not be construed so as to authorize the change of motive power on any street surface railroad in the city of New York, without a due compliance with all the requirements of law relating thereto.

§ 4. The supreme court shall have jurisdiction in an action brought by the attorney-general in the name of the people to find and determine if it is for the public interest that any railroad tracks, the operation of which is affected by the first section of this act, shall be entirely removed from the avenue and not re-located; and in such case to order the removal thereof upon due compensation to be ascertained by a jury of three commissioners as the court shall direct and to assess the owners of any railroad or railroads remaining in said avenue for payment of such compensation, if any, in proportion to benefits received from such removal. Nothing in this section shall limit or

affect the operation of the first section of this act. Nor shall anything contained in this act, be construed as conferring any franchise or authority to construct or operate a railroad upon said avenue, not heretofore conferred, nor to withdraw in such action from said court the question of the right of any party to such action to occupy said avenue or any part thereof with its tracks nor the question of its right to the manner in or motive power by which it proposes to operate its railroad.

§ 5. This act shall take effect immediately.

Said bill together with said Senate amendments was referred to the committee on railroads.

A message was received from the Senate in words following:

IN SENATE, *March 28, 1899.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1085, entitled "An act to amend chapter 565 of the Laws of 1895, entitled 'An act to incorporate the city of Little Falls,' and the acts amendatory thereof." (Rec. No. 31.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Feeter, and by unanimous consent, the same was amended as follows:

Strike out section 2 and make former sections 3 and 4 read sections 2 and 3 respectively.

Add new section 4 as follows:

"§ 4. This act shall take effect immediately."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE.

Clerk.

Mr. E. E. Kelley moved that the vote by which said bill was passed be reconsidered.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Costello	Gleason	Mason	Slater
Allds	Cottle	Graham	Mazet	Sloane, C C
Apgar	Cotton	Green	McEwan	Sloane J J
Axtell	Coughtry	Greenwood	McMillan	Smith J E
Babcock	Cowles	Grossman	Miles	Smith J T.
Baker	Cross	Guider	Murphy	Snyder
Ball	Darrison	Hallock	Paris	Sprague
Barrett	Davis	Hatch	Patton	Stoneman
Bashford	Dean	Hays	Post	Streifer
Baum	De Graw	Heller	Roberts	Sullivan T P
Bedell	Delaney	Henderson	Rodenbeck	Sullivan W J
Beede	Dillon	Henry	Rogers	Ten Eyck
Boland	Doughty	Hill	Rowe	Thorn
Brennan E C	Dutton	Hitchcock	Russell	Torborg
Brennan J F	Egan	Hoffman	Sabine	Trainor
Brewster	Ellis	Hutton	Sage H M	Tripp
Brown	Evarts	Johnson	Sandford	Vincent
Bryan	Fallows	Jaengst	Sands	Ware
Bulkley	Farrell	Kane	Sawyer	West
Burnett	Finn	Kelley E E	Schmid A F	Whipple
Cain	Fish	Kelsey	Schmid F	Wilson
Clark	Fordyce	Lewis M E	Sears	Wingenfeld
Collier	Fowler	Lewis T D	Sharkey	Wissel
Collins	Gardiner	Martin	Siems	Witter

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Costello	Fowler	Kelley E E	Sands
Allds	Cottle	Gale	Kelsey	Sawyer
Apgar	Cotton	Gallagher	Lewis M E	Schmid A F
Axtell	Coughtry	Gardiner	Lewis T D	Schoeneck
Babcock	Cowles	Gleason	Litchard	Sears
Baker	Cross	Gould	Martin	Slater

Ball	Darrison	Graham	Mason	Sloane C A
Barrett	Davis	Green	Mazet	Smith J T
Bashford	Dean	Greenwood	McEwan	Snyder
Baum	De Graw	Grossman	McMillan	Sprague
Bedell	Delaney	Guider	Miles	Stoneman
Beede	Dillon	Hallock	Murphy	Sullivan T P
Boland	Doughty	Harburger	Paris	Ten Eyck
Brennan E C	Dutton	Hatch	Patton	Thorn
Brennan J F	Egan	Hays	Post	Torborg
Brewster	Ellis	Heller	Roberts	Trainer
Brown	Evarts	Henderson	Rodenbeck	Tripp
Bryan	Fallows	Henry	Rogers	Vincent
Bulkley	Fancher	Hill	Rowe	Ware
Burnett	Farrell	Hitchcock	Russell	West
Cain	Finn	Hutton	Sabine	Whipple
Clark	Fish	Johnson	Sage H M	Wilson
Collier	Fitzgerald	Kane	Sandford	Witter
Collins	Fordyce			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of the same, and as amended have again passed the same.

A message was received from the Senate in words following:

IN SENATE, *March 28, 1899.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill No. 1096, entitled "An act to amend section 18 of chapter 18 of the general laws known as the 'County Law,' with respect to the printing and distribution of proceedings of boards of supervisors." (Rec. No. 114.)

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Ramsperger, and by unanimous consent, the same was amended as follows:

Page 2, line 3, after the word "sessions" insert the words "as they may deem necessary."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Barrett moved to reconsider the vote on the final passage of said bill.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McMillan	Sawyer
Allds	Cross	Hallock	Meister	Schmid A F
Apgar	Davis	Harburger	Meyer	Schmid F
Axtell	Dean	Hatch	Miles	Schoeneck
Babcock	De Graw	Hays	Mohring	Sears
Baker	Dillon	Heller	Murphy	Sharkey
Ball	Doughty	Henderson	O'Connell	Siems
Barrett	Dutton	Hill	O'Connor	Slater
Bashford	Egan	Hitchcock	Paris	Sloane C A
Baum	Ellis	Hoffman	Patton	Sloane J J
Bedell	Evarts	Hutton	Pickett	Smith J E
Beede	Fallows	Johnson	Post	Smith J T
Boland	Fancher	Juengst	Poth	Snyder
Brennan E C	Farrell	Kane	Redington	Sprague
Brennan J F	Finn	Kelly G T	Riedman	Streifler
Brewster	Fish	Kelsey	Rierdon	Sullivan T P
Brown	Fitzgerald	Knllman	Roberts	Sullivan W J
Bryan	Fowler	Lewis M E	Rodenbeck	Thorn
Bulkley	Gale	Lewis T D	Rogers	Torborg
Burnett	Gallagher	Litchard	Rowe	Tripp
Cain	Gardiner	Martin	Sabine	Ware
Collier	Gleason	Mason	Sage H M	West
Collins	Gould	Mazet	Sage S B	Whipple
Costello	Graham	McEwan	Sanders	Wingenfeld
Cottle	Green	McInerney	Sandford	Wissel
Cotton	Greenwood	McKeown	Sands	Witter
Coughtry	Grossman			

Mr. Speaker then put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McInerney	Sage S B
Allds	Cowles	Grossman	McKeown	Sandford
Apgar	Cross	Guider	McMillan	Sands
Axtell	Darrison	Hallock	Meister	Sawyer
Babcock	Davis	Harburger	Meyer	Schmid F
Baker	Dean	Hays	Miles	Schoeneck
Ball	De Graw	Heller	Mohring	Sears
Barrett	Delaney	Henderson	Murphy	Siems
Bashford	Doughty	Henry	O'Connell	Slater
Baum	Dutton	Hill	O'Connor	Sloane J J
Bedell	Egan	Hitchcock	Paris	Smith J E
Beede	Ellis	Hoffman	Patton	Snyder
Boland	Evarts	Hutton	Phillips	Sprague
Brennan EC	Fallows	Juengst	Pickett	Streifler
Brennan J F	Fancher	Kelley E E	Post	Sullivan W J
Brewster	Farrell	Kelly G T	Poth	Ten Eyck
Bryan	Finn	Kelsey	Redington	Thorn
Bulkley	Fitzgerald	Kullman	Riedman	Trainor
Burnett	Fowler	Lewis M E	Roberts	Tripp
Cain	Gale	Lewis T D	Roche	Vincent
Clark	Gallagher	Litchard	Rodenbeck	West
Collier	Gardiner	Mangin	Rowe	Wilson
Collins	Gleason	Martin	Russell	Wingenfeld
Costello	Graham	Mazet	Sabine	Wissel
Cottle	Green	McEwan	Sage H M	Witter
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the final passage of the same, and as amended have again passed the same.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 695, entitled "An act to entitle Eugene D. Scribner to examination for admission as an attorney and counselor-at-law" (Rec. No. 146), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Also, the following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 445, entitled "An act to amend section 66, relating to separate boards of commissioners, section 200, relating to general powers of the board of fire commissioners, and section 205, relating to nomination of officers of the fire department, of chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws'" (Rec. No. 73), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. Edward Denton, mayor of the city of Elmira, returning Assembly bill No. 550, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira'" (Int. No. 106), with a message that said mayor, and the common council of said city, after a public hearing thereon, do approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Greenwood gave notice that on Thursday, March 30, he would call up Senate bill (No. 845) entitled "An act to amend 'An act in relation to traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and supplementary thereto" (Rec. No. 158), the same having been laid aside on the order of third reading.

Mr. Schmid gave notice that on Tuesday, April 4, he would call up Assembly bill (No. 1083) entitled "An act to amend the Public Health Law, in relation to the adulteration of food" (Int. No. 728), the same having been laid aside on the order of second reading.

Mr. Guider gave notice that on Thursday, March 30, he would call up Assembly bill No. 339, entitled "An act relating to the

rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company " (Int. No. 328), the same having been laid aside on the order of second reading.

Mr. Speaker presented the annual financial report of the trustees of the Sailors' Snug Harbor in the city of New York, which was laid upon the table and ordered printed.

(See Document.)

The privileges of the floor were extended to Hons. Thomas Baker, of New York, Chas. McNaughton, of Saratoga, I. T. Deyo, of Broome; P. H. Murphy, James Oliver, of New York.

By unanimous consent,

Mr. Collier introduced a bill entitled "An act in relation to the making up of the regular general panel of trial jurors in counties having a special commissioner of jurors" (Int. No. 1488), which was read the first time.

On motion of Mr. Collier, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Ten Eyck introduced a bill entitled "An act to provide for the raising of the embankments and the cleaning and changing of the channel of Limestone creek in the town of Manlius and county of Onondaga, and making an appropriation therefor" (Int. No. 1489), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Ten Eyck introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur F. Barker against the State of New York for compensation to which it is alleged said claimant is entitled for services rendered and performed for and on behalf of the State of New York and to render judgment therefor" (Int. No. 1490), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. Bryan introduced a bill entitled "An act to legalize and confirm the official acts of Herbert G. Steele a justice of the peace

of the town of Brownville, Jefferson county" (Int. No. 1482), which was read the first time.

On motion of Mr. Bryan, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

By unanimous consent,

Mr. McMillan introduced a bill entitled "An act to legalize and confirm the official acts of Marshall B. McKinley as a notary public in and for the county of Schenectady" (Int. No. 1483), which was read the first time.

On motion of Mr. McMillan, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

By unanimous consent,

Mr. Apgar introduced a bill entitled "An act to amend section 3312 of the Code of Civil Procedure" (Int. No. 1484), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on codes.

By unanimous consent,

Mr. Slater introduced a bill entitled "An act to amend section 97 of the Code of Civil Procedure" (Int. No. 1485), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act to authorize the building of a canal and locks, in and near Cohoes, to connect the Erie and Champlain canals, and for other purposes" (Int. No. 1486), which was read the first time and referred to the committee on ways and means.

By unanimous consent,

Mr. Sandford introduced a bill entitled "An act to amend subdivision 9 of section 791 of the Code of Civil Procedure" (Int. No. 1487), which was read the first time and referred to the committee on codes.

On motion of Mr. Allds, the House adjourned.

THURSDAY, MARCH 30, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Fallon.

On motion of Mr. Finn, the reading of the journal of yesterday was dispensed with and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act in relation to the election of assessors and justices of the peace in the town of Southampton, in the county of Suffolk" (No. 1118, Rec. No. 266), which was read the first time.

On motion of Mr. Hallock, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Hallock, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sawyer
Allds	Darrison	Hallock	Meyer	Schmid A F
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Henderson	O'Connell	Siems
Ball	Dillon	Henry	O'Connor	Slater
Barrett	Doughty	Hill	Palmer	Sloane J J
Bashford	Dutton	Hitchcock	Paris	Smith J E
Baum	Egan	Hoffman	Patton	Snyder
Bedell	Ellis	Hutton	Phillips	Sprague
Beede	Evarts	Johnson	Pickett	Stoneman
Boland	Fallows	Juengst	Post	Sullivan T P
Brennan E C	Fancher	Kane	Poth	Sullivan W J
Brennan J F	Farrell	Kelley E E	Redington	Ten Eyck

Brewster	Fish	Kelly G T	Riedman	Thorn
Brown	Fitzgerald	Kelsey	Rierdon	Torborg
Bryan	Fordyce	Kullman	Roberts	Trainor
Bulkley	Fowler	Lewis M E	Roche	Tripp
Cain	Gale	Lewis T D	Rodenbeck	Vincent
Clark	Gallagher	Maher	Rogers	Ware
Collier	Gardiner	Mangin	Rowe	West
Collins	Gleason	Martin	Russell	Whipple
Costello	Gould	Mason	Sabine	Wilson
Cottle	Graham	Mazet	Sage H M	Wingenfeld
Cotton	Green	McEwan	Sanders	Wissel
Coughtry	Greenwood	McKeown	Sandford	Witter
Cowles	Grossman	McMillan	Sands	

Ordered. That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (No. 916, Rec. No. 287), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (No. 959, Rec. No. 292), which was read the first time.

Mr. Speaker announced the special order, being the bill (No. 451) entitled "An act to repeal section 1226 of chapter 378, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to the sale of lymph and antitoxine. (Int. No. 431.)

Said bill having been announced for a third reading.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Hallock	Mohring	Schmid F
Allds	Davis	Harburger	Murphy	Schoeneck
Apgar	Dean	Hays	O'Connell	Sears
Axtell	De Graw	Heller	O'Connor	Siems
Babcock	Delaney	Henderson	Palmer	Slater
Baker	Dillon	Henry	Paris	Sloane C A
Ball	Doughty	Hill	Patton	Smith J E
Bashford	Dutton	Hitchcock	Phillips	Smith J T
Bedell	Egan	Hoffman	Post	Snyder
Beede	Ellis	Hutton	Poth	Sprague
Brennan E C	Evarts	Johnson	Redington	Stoneman
Brennan J F	Fallows	Juengst	Riedman	Streifler
Brewster.	Fancher	Kelly G T	Rierdon	Sullivan W J
Bryan	Farrell	Kelsey	Roberts	Ten Eyck
Burnett	Finn	Kullman	Roche	Torborg
Cain	Fordyce	Lewis M E	Rodenbeck	Trainor
Clark	Fowler	Lewis T D	Rogers	Tripp
Collier	Gallagher	Litchard	Rowe	Ware
Collins	Gardiner	Maher	Sabine	West
Costello	Gleason	Mangin	Sage H M	Whipple
Cottle	Gould	Martin	Sage S B	Wilson
Cotton	Graham	Mazet	Sanders	Wingenfeld
Coughtry	Green	McEwan	Sands	Wissel
Cowles	Greenwood	Meyer	Sawyer	Witter
Cross	Grossman	Miles	Schmid A F	124

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Buckley, Brown, E. E. Kelley, Vincent, Russell, Gale, Kane, McKeown, T. P. Sullivan, Barrett, J. J. Sloane, Fitzgerald and Boland, each of whom, upon giving satisfactory explanations for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present.

{ AYES 47 }
{ NOES 83 }

Those who voted in the affirmative, were

Apgar	Cottle	Fordyce	Mazet	Slater
Axtell	Cotton	Gardiner	Post	Smith J T
Bedell	Cowles	Gleason	Rodenbeck	Torborg
Beede	Darrison	Graham	Rowe	Tripp
Brennan E C	Davis	Greenwood	Sage H M	Vincent
Brown	De Graw	Hallock	Sandford	Ware
Burnett	Ellis	Hill	Sands	Whipple
Cain	Evarts	Lewis M E	Sawyer	Wilson
Collier	Fallows	Lewis T D	Sears	Witter
Costello	Fancher			

Those who voted in the negative, were

Allds	Farrell	Hutton	Mohring	Schmid A F
Babcock	Finn	Juengst	O'Connell	Schmid F
Baker	Fitzgerald	Kane	O'Connor	Schoeneck
Ball	Fowler	Kelley E E	Palmer	Siems
Barrett	Gale	Kelly G T	Paris	Sloane C A
Bashford	Gallagher	Kelsey	Patton	Sloane J J
Boland	Gould	Kullman	Phillips	Smith J E
Brennan J F	Green	Litchard	Pickett	Snyder
Brewster	Guider	Maher	Poth	Sprague
Bryan	Harburger	Mangin	Riedman	Stoneman
Bulkley	Hatch	Martin	Rierdon	Streifler
Clark	Hays	McEwan	Roberts	Sullivan W J
Collins	Heller	McInerney	Rogers	Trainor
Dean	Henderson	McKeown	Russell	West
Dillon	Henry	Meister	Sage S B	Wingenfeld
Dutton	Hitchcock	Meyer	Sanders	Wissel
Egan	Hoffman	Miles		

Mr. Collier moved to reconsider the vote by which said bill was lost, and that said motion be laid on the table.

Mr. Speaker put the question whether the House would agree to said motion of Mr. Collier, and it was determined in the affirmative.

Mr. Allds, from the committee on ways and means, to which was recommitted the bill introduced by said committee, Int. No.

1327, entitled "An act making an appropriation for certain expenses of government and supplying deficiencies in former appropriations" (No. 1745), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Allds, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Allds, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	De Graw	Heller	Murphy	Sharkey
Allds	Delaney	Henry	O'Connell	Siems
Apgar	Dillon	Hill	O'Connor	Slater
Axtell	Doughty	Hitchcock	Palmer	Sloane C A
Babcock	Dutton	Hoffman	Paris	Sloane J J
Baker	Egan	Hutton	Phillips	Smith J E
Ball	Ellis	Johnson	Pickett	Smith J T
Bashford	Evarts	Juengst	Post	Snyder
Baum	Fallows	Kane	Poth	Sprague
Bedell	Farrell	Kelley E E	Redington	Stoneman
Boland	Finn	Kelly G T	Riedman	Streifler
Brennan E C	Fish	Kelsey	Rierdon	Sullivan T P
Brewster	Fitzgerald	Kullman	Roche	Sullivan W J
Brown	Fordyce	Lewis M E	Rodenbeck	Ten Eyck
Bryan	Gale	Lewis T D	Rogers	Thorn
Bulkley	Gallagher	Litchard	Rowe	Torborg
Cain	Gardiner	Mangin	Russell	Trainor
Clark	Gould	Martin	Sage H M	Tripp
Collier	Graham	Mason	Sage S B	Vincent
Collins	Green	McEwan	Sanders	Ware
Costello	Greenwood	McInerney	Sandford	West

Cottle	Grossman	McKeown	Sands	Whipple
Coughtry	Henderson	McMillan	Schmid A F	Wilson
Cowles	Guider	Meister	Schmid F	Wingenfeld
Darrison	Hallock	Meyer	Schoeneck	Wissel
Davis	Harburger	Miles	Sears	Witter
Dean	Hatch	Mohring		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. C. A. Slone, Int. No. 426, entitled "An act to authorize the selection, location and appropriation of certain lands in the town of Dix, in the county of Schuyler and State of New York for a State park or reservation and to preserve the scenery of what is known as the 'Watkins Glen' and to make it a place of public resort and pleasure" (No. 445), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Patton, Int. No. 1437, entitled "An act to extend the time of redemption of taxes on the land of the German Lutheran St. Nicodemus Church of Marilla, Erie county, New York" (No. 1934), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Ellis, Int. No. 1059, entitled "An act to provide for an additional cottage for the New York State School for the Blind at Batavia and making an appropriation therefor" (No. 1248), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Mazet, Int. No. 333, entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court of the First Judicial District and the Appellate Division thereof, in the First Depart-

ment,' as amended by chapter 363 of the Laws of 1896, and chapter 656 of the Laws of 1897, and chapter 379 of the Laws of 1898 in relation to the compensation of clerks " (No. 344), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Murphy, Int. No. 1082, entitled " An act authorizing the construction of a steel bridge and abutments and approaches thereto over the Erie canal in the town of Saint Johnsville and making an appropriation therefor " (No. 1295), reported in favor of the passage of the same, with the following amendment:

Page 2, line 3, change period to semicolon and insert thereafter the words " but no part of the money hereby appropriated shall be available except for the necessary plan until after the execution of a contract by a responsible party to the state superintendent of public works for the completion of said bridge at a cost within said appropriation and the filing of said contract with the comptroller."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Kelsey, Int. No. 443, entitled " An act to provide that additional facilities for free instruction in natural history, geography and kindred subjects, by means of pictorial representation and lectures, may be furnished to the free common schools of each city and village of the State that has, or may have, a superintendent of free common schools " (No. 463), reported in favor of the passage of the same, with the following amendment:

Page 2, line 15, change the word " twenty " to the word " fifteen."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Mason, Int. No. 212, entitled "An act making an appropriation for the proper equipment, improvement and betterment of the Rome State Custodial Asylum, and to erect additional buildings therefor" (No. 212), reported in favor of the passage of the same, with the following amendments:

Page 1, line 5, strike out the word "two" and insert the word "one;" also strike out the letter "s" from the word "buildings" on line 6; also strike out balance of said line 6 and all of line 7 and to the word "thousand" in line 8; also in line 8 insert before the word "thousand" the words "thirty-two."

Page 2, line 17, strike out the words "for railway switch, ten thousand dollars;" also in line 21 change period to semicolon and insert the following words "but no part of the money hereby appropriated shall be available, except for the necessary plans, until after the execution of a contract, by responsible party for the completion of the improvements herein provided for at a cost within said appropriation and the filing of said contract with the comptroller."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Fish, Int. No. 1453, entitled "An act to provide for the construction of a vertical retaining wall on the east side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Cedar street to the bridge over said feeder, opposite the easterly end of Stone street, in said village, and reappropriating therefor certain moneys appropriated by chapter 633 of the Laws of 1898" (No. 1969), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Fallows, Int. No. 409, entitled "An act establishing and incorporating the New York State Industrial School for Girls" (No. 428), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 1, erase the word "Industrial" and after the word "School" insert the words "of Industries."

Page 3, line 2, after third word "the" insert the words "said school" and erase the words "by-laws and all alterations thereof" in lines 2 and 3.

Same page, line 3, strike out the word "approval" and insert the word "supervision."

Same page, line 4, change period to comma and insert the words "as provided by the general laws."

Same page, line 16, after the word "training" and insert the word "and."

Same page, line 18, strike out the word "liable" and insert the word "required" and after the word "state" strike out balance of line.

Same page, strike out lines 19 and 20 except the word "reformatories."

Pages 4 and 5, strike out all of section 6 and insert the following in place thereof:

"§ 6. The sum of twenty-five hundred dollars or so much thereof as may be necessary, is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, for the purpose of carrying out the provisions of this act. The treasurer of the state shall pay on the warrant of the comptroller to the treasurer of the board of managers such sum of moneys as may from time to time be required for such purpose, such payments to be made upon notification of the treasurer of the board to the comptroller specifying amounts required, accompanied by the vouchers for the same. As to all moneys received by said corporation other than from the state of New York the same may be expended in the discretion of the board of managers for the general purposes of this act. If the purchase price of the site selected by the board of managers or any portion thereof is paid out of any moneys appropriated by the state, such purchase price shall be subject to approval by the comptroller of the state; and any buildings thereon at the time of the purchase which may be altered or new buildings constructed, any portion of the expense of which is to be paid for out of any moneys appropriated by the state, shall be so altered or con-

structed in accordance with plans and specifications to be furnished by the state architect and subject to the approval of the board of managers and the state board of charities upon contracts duly advertised and let.

Amend the title by erasing the word "Industrial," and after the word "School" therein insert the words "of Industries."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Collier, Int. No. 784, entitled "An act establishing a nautical school in and for the State of New York, and making an appropriation therefor" (No. 872), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 5, strike out letter "s" in the word "officers."

Page 2, line 14, strike out the words "rent of suitable offices" and "secretary," and change the word "salaries" to "salary."

Same page, line 15, strike out the words "and a messenger."

Same page, line 26, strike out the word "and" where it first appears.

Page 3, line 9, strike out the words "and any other proper source."

Same page, line 12, after the word "ship" insert the word "only."

Page 4, line 4, change the word "fifty" to "thirty-five."

Page 5, line 7, after the word "navy" strike out the remainder of the line; also line 8.

Same page, line 16, after the word "members" insert the words "which shall, with the president of the Maritime Association of the port of New York."

Same page, line 17, strike out the word "two."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 169, entitled "An act to provide for the publication and distribution of the Fisheries, Game and Forest Law, as amended"

(No. 865) reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Humphrey, Rec. No. 174, entitled "An act to amend the Insanity Law, relating to transfers from State hospitals to Matteawan State Hospital and the cost of maintenance of persons confined in such hospital" (No. 667), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Hill, Int. No. 1103, entitled "An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication" (No. 1343), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Gardiner, Int. No. 679, entitled "An act to amend section 344 of the Penal Code of the State of New York, relating to gambling" (No. 744), reported in favor of the passage of the same, with the following amendments:

Page 2, line 12, beginning with the word "more" strike out balance of line and all of lines 13 and 14, and insert the following: "more than one year nor less than one month and in the discretion of the court by a fine not exceeding one thousand dollars."

Same page, line 16, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Brown, Int. No. 237, entitled "An act

to amend section 3314 of the Code of Civil Procedure relative to fees of jurors " (No. 237), reported in favor of the passage of the same, with the following amendments:

Page 1, line 4, strike out the word "county" and insert the words "counties within the city;" also strike out the words "common council" and insert the words "municipal assembly."

Page 2, line 6, strike out the word "Queens" and insert in place thereof the word "Nassau."

Same page, line 10, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Collier, Int. No. 1276, entitled "An act to amend section 688 of the Code of Civil Procedure relative to defendant's undertaking in attachment" (No. 1676), reported in favor of the passage of the same, with the following amendments:

Page 2, line 7, strike out the words "United States" and insert in place thereof the words "state of New York."

Same page, line 20, strike out the word "immediately" and insert "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1194, entitled "An act to amend section 1323 of the Code of Civil Procedure, relative to appeals" (No. 1488), reported in favor of the passage of the same, with the following amendment:

Page 2, line 25, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was recommended the bill introduced by Mr. Redington, Int. No. 969, entitled "An act to amend section 3256 of the Code of Civil Procedure, relating to disbursements to be included in bill of costs" (No. 1731), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Hill, from the committee on codes, to which was recommended the bill introduced by Mr. Bedell, Int. No. 512, entitled "An act to amend section 484 of the Code of Criminal Procedure, relative to power to remit fines and imprisonment in case of failure to pay fine" (No. 539), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 2, line 2, strike out the brackets around the word "five." Also strike out the word "ten" same line.

Same page, line 9, strike out the brackets around the word "five."

Same page, line 10, strike out the word "term."

Same page, line 12, after the word "application" insert the following: "if made in the court in which the fine was imposed."

Same page, line 15, after the word "office" insert the following: "and sitting or at chambers."

Same page, line 21, after the word "papers" insert the following: "except the evidence."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 122, entitled "An act to amend section 213 and section 250 of the Code of Civil Procedure relative to the publication and distribution of reports" (No. 474), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 231, entitled "An act to amend the Penal Code to prohibit the use of trading stamps, trading checks and similar gift enterprises" (No. 1077), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 142, entitled "An act to amend section 3253 of the Code of Civil Procedure, relating to additional allowances" (No. 690), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. S. B. Sage, Int. No. 1264, entitled "An act in relation to the drainage of agricultural lands" (No. 1608) reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. McEwan, Int. No. 381, entitled "An act to regulate the occupation of barbers and to provide for the sanitary inspection of barber shops" (No. 396), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Dillon, Int. No. 907, entitled "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants'" (No. 1040), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Martin, Int. No. 1412, entitled "An act to amend the County Law, in relation to the appointment

of district attorneys in certain cases " (No. 1876), reported in favor of the passage of the same, with the following amendment:

Page 1, line 8, after the word " county " insert the following: " except a county or counties containing a city of the first class."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Costello, Int. No. 1463, entitled "An act to incorporate ' The Oswego Masonic Temple Association of the city of Oswego, N. Y. ' " (No. 1983), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Rodenbeck, Int. No. 467, entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and constituting chapter 24 of the general laws,' relating to the taxation of municipal property " (No. 1314), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Murphy, Int. No. 419, entitled "An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines, for hawking, peddling and vending of merchandise within the State " (No. 438), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 2, line 3, after the word " act " insert section 3 as follows:

" § 3. All acts or parts of acts general, special or local inconsistent with the provisions of this act are hereby repealed."

Same page, line 4, change section 3 to section 4.

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 214, entitled "An act to amend article 5 of the Executive Law relating to the Attorney General" (No. 405), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by E. C. Brennan, Int. No. 1113, entitled "An act providing that the police commissioners of the city of New York in their discretion may reappoint Thomas P. Wilson, an ex-policeman in the borough of Brooklyn in the city of New York, who resigned from the police department of the borough of Brooklyn of the city of New York, January 16, 1899" (No. 1370), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fallows, Int. No. 1184, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to summary proceedings" (No. 1478), reported in favor of the passage of the same, with the following amendment:

Page 2, line 15, strike out everything beginning with the words "provided, however," and ending with the word "warrant" on line 20.

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Wagner, Rec. No. 165, entitled "An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-sixth ward of the late city of Brooklyn" (No. 69), reported in favor of the pas-

sage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 159, entitled "An act in relation to the opening of the highway or avenue known as Prospect avenue, in the former town of Flatbush, Kings county, now a part of the city of New York" (No. 40), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Torborg, Int. No. 659, entitled "An act to regulate the use of lands forming part of the right of way of any railroad company, the road of which has been removed from the surface in, or adjacent to, streets and highways in all cities of the first class in this State" (No. 724), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Russell, Int. No. 825, entitled "An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation" (No. 931), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Torborg, Int. No. 661, entitled "An act to amend chapter 39 of the general laws, entitled 'An act in relation to railroads'" (No. 726), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Henderson, Int. No. 510, entitled "An act to provide for a better system of lighting passenger cars

entering the borough of Manhattan, New York city, by way of bridges across and over the Harlem river" (No. 537), reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, after the word "every" insert the word "foreign" and on same line, before the word "railroad" insert the word "steam."

LOUIS BEDELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. West, Int. No. 780, entitled "An act to amend the Railroad Law and the acts amendatory thereto, relative to certificates of public convenience and necessity" (No. 864), reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, strike out the words "or street."

Page 2, line 2, after the word "length" insert the following: "and was to be built in the counties of Saratoga and Washington."

Amend title by striking out the following: "and the acts amendatory thereto."

LOUIS BEDELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was re-committed the bill introduced by Mr. Bedell, Int. No. 712, entitled "An act to amend section 59a of the Railroad Law, relative to extensions of street surface railroads" (No. 1517), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Rogers, Int. No. 971, entitled "An act to amend the Railroad Law, constituting chapter 39 of the general laws, in relation to enclosed vestibule cars for the

protection of employees on street surface railways" (No. 1135), reported the same with the following amendments, and request that said bill be reprinted and recommitted to said committee:

Page 1, line 7, strike out the word "November" and insert the word "December."

Page 2, line 1, after the word "air" add the following: "except in cities of the first class."

Same page, line 3, after the word "passengers" strike out the following: "between the first day of November and the first day of May" and insert "during the months of December, January, February and March."

Same page, line 5, strike out the word "enclosed."

Same page, line 7, after the word "car" strike out remainder of line, all of lines 7 and 8 and the words "operation of such car" on line 9.

LOUIS BEDELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Fallows (No. 1076, Senate reprint No. 1127), entitled "An act to regulate the laying and using of street surface railroad tracks upon Amsterdam avenue in the city of New York, for the greater safety of the lives and limbs of the citizens of said city" (Int. No. 950), together with the amendments of the Senate made thereto, reported in favor of non-concurring in said amendments, and that the appointment of a committee of conference thereon be requested, which report was agreed to.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have non-concurred in the amendments of the Senate thereto, and request the appointment of a committee of conference thereon.

Mr. Bedell, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 212, entitled "An act to amend section 33 of the Railroad Law, in regard to crossing signs, gates and flagmen, and whistleposts" (No. 967), reported in favor of the passage of the same, without amendment,

which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Douglas, Rec. No. 203, entitled "An act to authorize the Albany Railway Company to construct and maintain a bridge, appurtenances and approaches to the same, over the Hudson river, from the foot of State street, in the city of Troy, to some point in the city of Watervliet, on the opposite side of the Hudson river" (No. 902), reported the same with the following amendments, and request that said bill be reprinted and recommitted to said committee:

Page 2, line 13, after the word "act" add the following: "and unless such proceedings shall be commenced and construction begun within said time, all the rights and franchises hereby granted shall cease and determine."

Page 3, line 12, after the word "suit" add the following: "said bridge shall at all times and forever be free to foot passengers, and in the construction of said bridge, sidewalks shall be provided for and made thereon for the use of such foot passengers."

Same page, line 14, after the word "constructed" add the words "of iron or steel," also strike out the word "fifteen" and insert the word "thirty."

LOUIS BEDELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. E. C. Brennan, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. Hill, Int. No. 1290, entitled "An act for the promotion of commerce on the seaboard and inland waters of this State" (No. 1689), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Henry, from the committee on military affairs, to which was referred the bill introduced by Mr. Cotton, Int. No. 1385, entitled "An act to amend the Poor Law, in relation to relief of soldiers by Grand Army posts" (No. 1850), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. E. C. Brennan, from the committee on commerce and navigation, to which was referred the bill introduced by Mr. E. C. Brennan, Int. No. 1270, entitled "An act to amend section 2125 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hell Gate pilots, pilotage and pilot apprentices" (No. 1670), reported in favor of the passage of the same, with the following amendments:

Page 1, lines 1 and 2, strike out the words "and twenty-one hundred and twenty-nine."

Page 2, strike out all of the clause beginning on line 16 to and including line 26.

Strike out all of page 3.

Amend title by striking out on lines 1 and 2, the words "and twenty-one hundred and twenty-nine."

EDWARD C. BRENNAN,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Miles, Int. No. 1287, entitled "An act to provide for the incorporation of the Salvation Army" (No. 1686), reported in favor of the passage of the same, with the following amendments:

Page 4, line 15, after the word "officers" insert the words "and subject to the written approval of the state board of charities."

Same page, line 26, after the word section, strike out "pro."

Page 5, strike out lines 1, 2, 3, 4 and 5.

IRA C. MILES,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. J. J. Sloane, Int. No. 1415, entitled "An act in relation to certain property of the Jewish Theological Seminary Association" (No. 1879), retaining its place on the order of third reading, reported

in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 1360, entitled "An act to amend chapter 377 of the Laws of 1896, entitled 'An act in relation to benevolent orders, constituting chapter 44 of the general laws,' relating to the Benevolent and Protective Order of Elks" (No. 1793), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 2, after the word "ninety-six" insert the words "entitled 'An act in relation to benevolent orders, constituting chapter forty-four of the general laws,' as amended by chapter four hundred and sixty-four of the laws of eighteen hundred and ninety-eight."

Same page, between lines 3 and 4, insert as section 2 "Organization. Either of the following orders."

Page 3, between lines 5 and 6, insert as section 10 "Any subordinate lodge, tribe or other body of any benevolent or fraternal society incorporated under and pursuant to the laws of this state."

Amend the title, after the word "amend," by striking out that clause beginning with the word "chapter" and ending with the words "general laws."

IRA C. MILES,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. C. A. Sloane, from the committee on public printing, to which was referred the resolution relative to extra copies of the Governor's message, offered March 27, 1899, reported in favor of the adoption of the following resolution:

Resolved, That there be printed 3,000 copies of the Governor's message, delivered March 27, 1899, relative to the subject of taxation, to be distributed among the members of this body.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a

majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 139 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Delaney	Heller	Mohring	Schoeneck
Alds	Dillon	Henderson	Murphy	Sears
Apgar	Doughty	Henry	O'Connell	Sharkey
Axtell	Dutton	Hill	O'Connor	Siems
Babcock	Egan	Hitchcock	Palmer	Sloane C A
Baker	Ellis	Hoffman	Paris	Sloane J J
Ball	Evarts	Hutton	Phillips	Smith J E
Barrett	Fallows	Johnson	Pickett	Smith J T
Bashford	Fancher	Juengst	Post	Snyder
Bedell	Farrell	Kane	Poth	Sprague
Beede	Finn	Kelley E E	Redington	Stoneman
Brennan E C	Fitzgerald	Kelly G T	Riedman	Streifler
Brennan J F	Fordyce	Kelsey	Rierdon	Sullivan T P
Brewster	Fowler	Kullman	Roberts	Sullivan W J
Brown	Gale	Lewis M E	Roche	Ten Eyck
Bulkley	Gallagher	Lewis T D	Rodenbeck	Thorn
Burnett	Gardiner	Litchard	Rogers	Torborg
Clark	Gleason	Maher	Rowe	Trainer
Collier	Gould	Mangin	Russell	Tripp
Collins	Graham	Martin	Sabine	Vincent
Costello	Green	Mason	Sage H M	Ware
Cottle	Greenwood	Mazet	Sage S B	West
Coughtry	Grossman	McEwan	Sanders	Whipple
Cowles	Guider	McInerney	Sandford	Wilson
Cross	Hallock	McKeown	Sands	Wingenfeld
Darrison	Harburger	McMillan	Sawyer	Wissel
Davis	Hatch	Meyer	Schmid A F	Witter
Dean	Hays	Miles		

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to define the liberties of the jail in and for the county of Queens." (No. 1898, Int. No. 1422.)

"An act to exempt from county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital.'" (No. 1963, Int. No. 1367.)

"An act to legalize the acts of C. Allington Dains, a notary public." (No. 1817, Int. No. 1374.)

“An act to amend chapter 396 of the Laws of 1885, entitled ‘An act to revise the charter of the city of Dunkirk,’ in relation to the compensation of policemen.” (No. 1904, Int. No. 1428.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1813) entitled “An act to regulate the employment of workingmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners” (Int. No. 607), reported the same with the following recommendations:

Page 1, line 7, after the word “board” and before the word “to” insert a comma.

Page 2, line 1, after the word “commissioners” insert a comma.

Same page, line 4, after the word “of” insert a comma.

Page 4, line 5, strike out the word “a.”

Same page, same line, after the word “act” insert the words “In case of the death or resignation of any commissioner or a.”

Same page, lines 5 and 6, strike out the words “on the part of any appointee.”

Same page, line 5, after the word “qualify” insert a comma.

Same page, line 7, strike out the words “shall create” before the words “a vacancy.”

Same page, same line, after the word “vacancy” insert the words “shall be created.”

Same page, line 10, strike out the words “as also in case of death or resignation.”

Same page, line 10, after the word “act” insert a period.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed, the bills entitled as follows:

“An act to amend chapter 108 of the Laws of 1891, entitled ‘An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office,’ relative to the compensation of said sheriff, his under-sheriff and deputies, and the management of said office.” (No. 1953, Int. No. 994.)

“An act to secure proper sanitary conditions and proper ven-

tilation in public buildings and schoolhouses. (No. 1956, Int. No. 718.)

"An act to amend the Tax Law, relating to exemptions from taxation of certain mortgages on real estate." (No. 1951, Int. No. 375.)

"An act to amend chapter 599 of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company,' relative to the capital stock of, and reports by said corporation, and subjecting said corporation to the inspection, examination and control of the banking department." (No. 1952, Rec. No. 26.)

"An act to authorize the board of supervisors in any county where proceedings have been instituted under the provisions of chapter 493 of the Laws of 1892, entitled 'An act to provide for the construction of highways and bridges upon highways running through two or more towns of the same county,' to investigate the affairs and conduct of commissioners appointed under said act." (No. 1950, Rec. No. 128.)

"An act to enable the fire commissioners of the city of New York to rehear and determine the charges against Henry A. Rehwinkle, a fireman of the first grade, for reinstatement in said department." (No. 1949, Rec. No. 196.)

"An act for the protection of creditors of a decedent." (No. 1947, Int. No. 1317.)

"An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York, in and to certain real estate in the town of Bleecker, Fulton county." (No. 1961, Int. No. 1018.)

"An act relating to attendants upon the Supreme Court and county court, in and for the county of Monroe." (No. 1954, Int. No. 933.)

"An act to amend chapter 588 of the Laws of 1898, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relating to the apportionment of the personal property of the county of Queens." (No. 1960, Int. No. 1371.)

"An act to amend chapter 376 of the Laws of 1896, entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,' in relation to auctions and auctioneers." (No. 1959, Int. No. 213.)

"An act to amend section 23 of the Public Officers Law, relating to removals by the Governor." (No. 1955, Int. No. 1257.)

"An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings." (No. 1946, Int. No. 1316.)

"An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in certain counties." (No. 1957, Int. No. 1259.)

"An act to legalize the acts of C. Allington Dains, a notary public." (No. 1817, Int. No. 1374.)

"An act to define the liberties of the jail in and for the county of Queens." (No. 1898, Int. No. 1422.)

"An act to exempt from county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital.'" (No. 1963, Int. No. 1367.)

"An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to the compensation of policemen." (No. 1904, Int. No. 1428.)

"An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners." (No. 1813, Int. No. 607.)

"An act to regulate the publication of the general and local laws passed by the Legislature of this State, and other State printing, in the county of Schuyler." (No. 1948, Int. No. 1352.)

Mr. Mazet offered for the consideration of the House a resolution in the words following:

Resolved, That the committee on affairs of cities be discharged from further consideration of the Senate bill (No. 261) entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (Rec. No. 208), and that said bill be referred to the committee on public education.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Finn offered for the consideration of the House a resolution in the following words:

Resolved, That the committee on ways and means be discharged from further consideration of the bill (No. 119) entitled "An act to provide additional compensation for volunteer soldiers and sailors who served in the war between the United States and Spain" (Int. No. 122), and that said bill be placed on the order of second reading.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	De Graw	Harburger	Meister	Sears
Allds	Delaney	Hatch	Meyer	Sharkey
Apgar	Dillon	Hays	Miles	Siems
Axtell	Doughty	Heller	Mohring	Slater
Babcock	Dutton	Henderson	Murphy	Sloane C A
Baker	Egan	Henry	O'Connell	Sloane J J
Ball	Ellis	Hill	Palmer	Smith J E
Barrett	Evarts	Hitchcock	Paris	Smith J T
Bashford	Fallows	Hoffman	Patton	Snyder
Bedell	Fancher	Hutton	Phillips	Sprague
Beede	Farrell	Johnson	Pickett	Stoneman
Brennan E C	Finn	Juengst	Post	Streifler
Brennan J E	Fish	Kane	Poth	Sullivan T P
Brewster	Fitzgerald	Kelley E E	Redington	Sullivan W J
Bryan	Fordyce	Kelly G T	Rierdon	Ten Eyck
Cain	Fowler	Kelsey	Roche	Thorn
Clark	Gale	Kullman	Rodenbeck	Torborg
Collier	Gallagher	Lewis M E	Rogers	Trainor
Collins	Gardiner	Lewis T D	Rowe	Tripp
Costello	Gleason	Litchard	Russell	Vincent
Cottle	Gould	Maher	Sabine	Ware
Cotton	Graham	Martin	Sage H M	West
Coughtry	Green	Mason	Sage S B	Whipple
Cowles	Greenwood	Mazet	Sandford	Wilson
Darrison	Grossman	McEwan	Sands	Wissel
Davis	Guider	McInerney	Schmid A F	Witter
Dean	Hallock	McKeown	Schoeneck	

The Clerk furnished a list of absentees to the sergeant-at-arms, who appeared in due time before the bar of the House with Mr. Sawyer, who, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said resolution of Mr. Finn, and it was decided in the negative.

{ AYES 65 }
{ NOES 73 }

Those who voted in the affirmative, were

Ball	Finn	Hutton	O'Connor	Schmid F
Barrett	Fitzgerald	Juengst	Palmer	Schoeneck
Bashford	Gale	Kane	Phillips	Siems
Boland	Gallagher	Kelly G T	Pickett	Sloane J J
Brennan J F	Gould	Kullman	Poth	Smith J E
Bryan	Green	Maher	Redington	Streifler
Cain	Grossman	Mangin	Riedman	Sullivan T P
Collins	Guider	McInerney	Rierdon	Sullivan W J
Cotton	Harburger	McKeown	Roche	Torborg
Dean	Heller	Meister	Russell	Trainor
Dillon	Henderson	Meyer	Sage S B	Ware
Egan	Henry	Mohring	Sanders	Wingenfeld
Farrell	Hoffman	O'Connell	Schmid A F	Wissel

Those who voted in the negative, were

Allds	Darrison	Hallock	Miles	Slater
Apgar	Davis	Hatch	Murphy	Sloane C A
Axtell	DeGraw	Hays	Paris	Smith J T
Babcock	Doughty	Hill	Patton	Snyder
Baker	Dutton	Hitchcock	Post	Sprague
Bedell	Ellis	Johnson	Rodenbeck	Stoneman
Beede	Evarts	Kelley E E	Rogers	Ten Eyck
Brennan E C	Fallows	Kelsey	Rowe	Tripp
Brewster	Fancher	Lewis M E	Sabine	Vincent
Collier	Fish	Lewis T D	Sage H M	West
Costello	Fordyce	Litchard	Sandford	Whipple
Cottle	Fowler	Martin	Sands	Wilson
Coughtry	Gardiner	Mason	Sawyer	Witter
Cowles	Gleason	Mazet	Sears	Speaker
Cross	Greenwood	McEwan		

The Senate returned the bill (No. 714, Senate reprint No. 1025,) entitled "An act to amend chapter 165 of the Laws of 1898, entitled 'An act for the registration of all persons duly admitted and licensed to practice as attorneys-at-law or as attorneys and counselors-at-law in the courts of record of this State,' relating to the granting of orders to permit compliance therewith" (Int. No. 650), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Section one of chapter one hundred and sixty-five of the laws of eighteen hundred and ninety-eight is hereby amended so as to read as follows:

§ 1. Every person duly licensed and admitted to practice as an attorney-at-law or as an attorney and counsellor-at-law in the courts of record of this state must, before the first day of July, eighteen hundred and ninety-nine, subscribe and take an oath or affirmation, which must be substantially in the following form, the blanks properly filled:

State of New York, { ss.:
 County, }

I, _____ being duly sworn (or affirmed) do depose and say that I am a natural born citizen of the United States (if naturalized, state when and where) and now reside at _____ (or, if a resident of an adjoining state and admitted to practice in the courts of record of this state and whose office for the transaction of law business is within this state, state the fact.) That I was duly and regularly licensed and admitted to practice as an attorney-at-law or as an attorney and counsellor-at-law in the courts of record of this state at the _____ term, 18____, of the general term (or appellate division) of the supreme court (or other court as the case may be) held at _____, and that I took the constitutional oath of office.

Subscribed and sworn to before me,
 this _____ day of _____ 189 .

which oath or affirmation shall be filed in the office of the clerk of the court of appeals by the person making the same, provided, nevertheless, that such affidavit or affirmation may state that the deponent or affirmant believes that he took the constitutional oath of office in lieu of stating unqualifiedly that he did so, where the affidavit or affirmation states, or in substance shows, the de-

ponent's or affirmant's lack of positive or certain recollection of having taken such oath, or shows other substantial reasons for thus qualifying the affidavit or affirmation on that subject. And provided further, in respect of persons who were solicitors in chancery or attorneys of or in the supreme court on the first Monday of July eighteen hundred and forty-seven, and who therefore became entitled to the benefit of the provisions of section seventy-five of chapter two hundred and eighty of the laws of eighteen hundred and forty-seven, commonly called the judiciary act, entitling them to practice as attorneys, solicitors and counsellors in all the courts of this state, that the affidavit or affirmation required from such persons by this section in lieu of stating their license and admission prior to July first eighteen hundred and forty-seven to have been as attorney at law or as attorney and counsellor-at-law in the courts of record of this state may state such admission and license to have been as attorney of or in the supreme court or as solicitor in chancery or solicitor of the court of chancery according to the fact. And said affidavit or affirmation may state correctly the court and term of court in or at which the admission prior to July first eighteen hundred and forty-seven, took place. After July first, eighteen hundred and ninety-nine, the special term of the supreme court of the judicial district where such attorney-at-law or attorney or counsellor-at-law resides, may, upon proof by affidavit showing reasonable grounds therefor, grant an order permitting the applicant to make and file the oath or affirmation required herein, with the same effect as if the same had been made and filed within the time above stated, and relieving him from penalties and prosecutions by reason of failure to make and file such oath or affirmation within the time required.

§ 2. Section four of said chapter one hundred and sixty-five of the laws of eighteen hundred and ninety-eight, is hereby amended so as to read as follows:

§ 4. On and after July first, eighteen hundred and ninety-nine, it shall be unlawful for any person to practice or appear as an attorney-at-law or as attorney and counsellor-at-law for another in a court of record in this state or in any court in the county of New York or in the county of Kings, or to make it a business to practice as an attorney-at-law or as an attorney and counsellor-at-law for another in any of said courts, or to hold himself out to the public as being entitled to practice law as aforesaid, or in any other manner, or to assume to be an attorney or counsellor-at-law, or to assume, use, or advertise the title of lawyer, or attorney and counsellor-at-law, or attorney-at-law, or counsellor-at-law, or attorney, or counsellor, or attorney and counsellor, or equivalent terms in any language, in such manner as to convey the impression

that he is a legal practitioner of law or in any manner to advertise that he either alone or together with any other persons or person, has, owns, conducts or maintains a law office or law and collection office, or office of any kind for the practice of law, without having first been duly and regularly licensed and admitted to practice law in the courts of record of this state, or, in case of persons licensed and admitted prior to July first eighteen hundred and forty-seven, without having first been duly and regularly licensed and admitted to practice as attorney of or in the then supreme court or as solicitor in chancery or of the court of chancery, and without having taken the constitutional oath and without having subscribed and taken the oath or affirmation required by the first section of this act and filed the same in the office of the clerk of the court of appeals as required by said first section of this act. Any person violating the provisions of this section is guilty of a misdemeanor and it shall be the duty of the district attorneys to enforce the provisions of this act and to prosecute all violations thereof.

§ 3. Section five of said act is hereby amended to read as follows:

§ 5. Every person filing with the clerk of the court of appeals the oath or affirmation hereinbefore provided shall pay to the said clerk at the time of such filing the sum of twenty-five cents to defray the necessary disbursements incurred by him in carrying out the provisions of this act. It shall be the duty of the said clerk of the court of appeals, on or before the first day of November, eighteen hundred and ninety-nine, to cause the said "official register of attorneys and counsellors-at-law in the state of New York" to be printed, and to file a certified copy thereof in the office of the county clerk of each county within the state, and with the clerk of each of the appellate divisions, and annually thereafter to print and file as aforesaid all additions to the said official register made during the preceding twelve months, the expense thereof to be paid out of the fees collected by him pursuant to the provisions of this act, after defraying the necessary disbursements incurred by him under section three thereof.

§ 4. This act shall take effect immediately.

Mr. Collins moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Murphy	Sears
Allds	Darrison	Hallock	O'Connell	Sharkey
Apgar	Davis	Harburger	O'Connor	Siems
Axtell	Dean	Hatch	Palmer	Slater
Babcock	De Graw	Hays	Paris	Sloane C A
Baker	Delaney	Heller	Patton	Sloane J J
Ball	Dillon	Henry	Phillips	Smith J E
Barrett	Doughty	Hill	Pickett	Smith J T
Bashford	Dutton	Hitchcock	Post	Snyder
Baum	Egan	Hoffman	Poth	Sprague
Bedell	Ellis	Johnson	Redington	Stoneman
Beede	Evarts	Kane	Riedman	Streifer
Boland	Fallows	Kelley E E	Rierdon	Sullivan T P
Brennan E C	Fancher	Kelsey	Roberts	Sullivan W J
Brennan J F	Farrell	Kullman	Roche	Ten Eyck
Brewster	Finn	Lewis M E	Rodenbeck	Thorn
Brown	Fish	Lewis T D	Rogers	Torborg
Bryan	Fitzgerald	Maher	Rowe	Trainor
Bulkley	Fordyce	Mangin	Russell	Tripp
Burnett	Fowler	Martin	Sabine	Vincent
Cain	Gale	Mason	Sage H M	Ware
Clark	Gallagher	Mazet	Sage S B	West
Collier	Gardiner	McEwan	Sanders	Whipple
Collins	Gleason	McKeown	Sandford	Wilson
Costello	Gould	McMillan	Sands	Wingenfeld
Cottle	Graham	Meister	Sawyer	Wissel
Cotton	Green	Meyer	Schmid A F	Witter
Coughtry	Greenwood	Miles	Schmid F	Speaker
Cowles	Grossman	Mohring	Schoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of the Senate bill (No. 82) entitled "An act to amend chapter 905 of the Laws of 1896, entitled 'An act to incorporate the city of Watervliet,' as amended by chapter 759 of the Laws of 1897 and chapter 245 of the Laws of 1898, relative to the fire department" (Rec. No. 75), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

A communication was received from Hon. T. E. Kinney, mayor of the city of Utica, returning Assembly bill No. 1405, entitled "An act to amend chapter 18 of the Laws of 1862, entitled 'An act to revise the charter of the city of Utica,' and the several acts amendatory thereof, relative to the duties and salaries of divers officers thereof, etc." (Int. No. 695), with a message that said mayor of said city, after a public hearing thereon, does not approve said bill and does not accept the same, but that the common council of said city, after a public hearing thereon, does approve said bill and accept the same.

Mr. Speaker stated the question to be "Shall this bill become a law notwithstanding the objections of the mayor of the city of Utica, the same having been accepted by the common council, the legislative body of said city?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 148 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Apgar	Dean	Hays	Mohring	Sears
Axtell	De Graw	Heller	Murphy	Sharkey
Babcock	Delaney	Henderson	O'Connor	Siems
Baker	Dillon	Henry	Palmer	Slater
Ball	Doughty	Hill	Paris	Sloane C A
Barrett	Dutton	Hitchcock	Patton	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder

Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E O	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan T P
Brewster	Fish	Kelsey	Roberts	Sullivan W J
Brown	Fitzgerald	Kullman	Roche	Ten Eyck
Bryan	Fordyce	Lewis M E	Rodenbeck	Thorn
Bulkley	Fowler	Lewis T D	Rogers	Torborg
Burnett	Gale	Litchard	Rowe	Trainor
Cain	Gallagher	Maher	Russell	Tripp
Clark	Gardiner	Mangin	Sabine	Vincent
Collier	Gleason	Martin	Sage H M	Ware
Collins	Gould	Mason	Sage S B	West
Costello	Graham	Mazet	Sanders	Whipple
Cottle	Green	McEwan	Sandford	Wilson
Cotton	Greenwood	McInerney	Sands	Wingenfeld
Coughtry	Grossman	McKeown	Sawyer	Wissel
Cowles	Guider	McMillan	Schmid A F	Witter
Cross	Hallock	Meister		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

A communication was received from Hon. T. E. Kinney, mayor of the city of Utica, returning Assembly bill No. 825, entitled "An act to amend chapter 314 of the Laws of 1874, entitled 'An act to establish a board of police and fire commissioners of the city of Utica,' and the several acts amendatory thereof" (Int. No. 12), with a message that said mayor of said city, after a public hearing thereon, does not approve said bill and does not accept the same, but that the common council of said city, after a public hearing thereon, does approve said bill and accept the same.

Mr. Speaker stated the question to be "Shall this bill become a law notwithstanding the objections of the mayor of the city of Utica, the same having been accepted by the common council, the legislative body of said city?" and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

{ AYES 142 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meister	Schmid F
Allds	Darrison	Hatch	Meyer	Schoeneck
Apgar	Davis	Heller	Miles	Sears
Axtell	Dean	Henderson	Mohring	Sharkey
Babcock	De Graw	Henry	Murphy	Siems
Baker	Delaney	Hill	O'Connell	Sloane C A
Ball	Dillon	Hitchcock	O'Connor	Sloane J J
Barrett	Doughty	Hoffman	Palmer	Smith J E
Bashford	Dutton	Hutton	Patton	Smith J T
Baum	Egan	Johnson	Phillips	Snyder
Bedell	Ellis	Juengst	Pickett	Sprague
Beede	Evarts	Kane	Poth	Stoneman
Boland	Fallows	Kelley E E	Redington	Streifler
Brennan E	CFancher	Kelly G T	Rierdon	Sullivan W J
Brennan J F	Farrell	Kelsey	Roberts	Sullivan T P
Brewster	Finn	Kullman	Roche	Ten Eyck
Brown	Fish	Lewis M E	Rodenbeck	Thorn
Bryan	Fitzgerald	Lewis T D	Rogers	Torborg
Bulkley	Fordyce	Litchard	Rowe	Trainor
Burnett	Fowler	Maher	Russell	Tripp
Cain	Gale	Mangin	Sabine	Vincent
Clark	Gallagher	Martin	Sage H M	Ware
Collier	Gardiner	Mason	Sage S B	West
Collins	Gleason	Mazet	Sanders	Whipple
Costello	Gould	McEwan	Sandford	Wilson
Cottle	Green	McInerney	Sands	Wingenfeld
Cotton	Greenwood	McKeown	Sawyer	Wissel
Coughtry	Grossman	McMillan	Schmid A F	Witter
Cowles	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same.

“An act to reappropriate money for the completion of the armory in the city of Buffalo, for the Seventy-fourth Regiment, National Guard of the State of New York, as provided by chapter 770 of the Laws of 1897.” (No. 141, Int. No. 141.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Buffalo.

“An act to enable the police commissioners of The City of New York to rehear and determine the charges against William W. O'Connor, a policeman of the third grade, for re-instatement, in said department.” (No. 136, Int. No. 136.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to establish an inferior local court of civil and criminal jurisdiction in the city of Binghamton, to be called the ‘city court of Binghamton.’ ” (No. 1548, Int. No. 957.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Binghamton.

“An act to amend chapter 317 of the Laws of 1891, entitled ‘An act to authorize the construction and maintenance of park boulevards in and near the city of Rochester, and provide for the cost and expense thereof,’ relating to the anticipation of the payment of local assessments.” (No. 528, Int. No. 501.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act to vacate an assessment for paving, curbing, guttering and flagging One Hundred and Forty-fifth street from Seventh avenue to the Boulevard in the borough of Manhattan, and city of New York, so far as the same remains unpaid.” (No. 1758, Int. No. 1305.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to provide for the establishment, maintenance and management of a public market in the city of Troy, county of Rensselaer.” (No. 1075, Int. No. 639.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Troy.

“An act to amend chapter 905 of the Laws of 1896, entitled ‘An act to incorporate the city of Watervliet,’ as amended by chapter 759 of the Laws of 1897, relative to the police department.” (No. 1402, Int. No. 534.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Watervliet.

“An act to amend section 3169 of the Code of Civil Procedure, relative to warrants of attachment in the City Court of The City of New York.” (No. 258, Int. No. 258.)

“An act to amend chapter 33 of the Laws of 1846, entitled ‘An act to incorporate the Warren Free Institute in the city of Troy,’ as amended by chapter 140 of the Laws of 1859, and the acts amendatory thereof and supplemental thereto.” (No. 1403, Int. No. 107.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act to amend the charter of the city of Rochester, and to provide for the payment of local assessments in annual installments, for the issuance of bonds to defray the expenses of local improvements.” (No. 1811, Int. No. 1169.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act to enable the city of Albany to raise money for the grading and improvement of Beaver park.” (No. 1039, Int. No. 906.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Albany.

“An act to amend the charter of the city of Rochester and to extend its boundaries.” (No. 1400, Int. No. 1143.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

“An act authorizing and directing the comptroller of the city of New York to cancel of record certain taxes and assessments levied upon real property within the territory added to said city by chapter 934 of the Laws of 1895, and issue certificates of redemption from the sales of real property within such territory.” (No. 545, Int. No. 518.)

Ordered that the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to make water rents a lien on real estate in the city of Kingston and to provide for the better collection thereof.” (No. 1177, Int. No. 1008.)

“An act to amend the Village Law, relative to imprisonment for nonpayment of penalties.” (No. 701, Int. No. 55.)

“An act to provide for the support and maintenance of the several State prisons.” (No. 996, Int. No. 876.)

“An act to enable the University of Michigan, a corporation existing under the Constitution and laws of the State of Michigan, to take, hold and convey real estate.” (No. 980, Int. No. 860.)

“An act to amend section 3140 of the Code of Civil Procedure, relating to docket books to be kept by justices of the peace.” (No. 1130, Int. No. 966.)

“An act to provide for the paving of Broad street and portions of the streets intersecting the same in the village of Waterford, Saratoga county, and to provide the method and means of paying therefor.” (No. 1617, Int. No. 449.)

“An act to amend chapter 858 of the Laws of 1867 as amended by chapter 154 of the Laws of 1869, entitled, ‘An act to amend the statutes in reference to the collection of taxes in the county of Onondaga.’” (No. 1013, Int. No. 584.)

“An act to amend chapter 415 of the Laws of 1897, entitled ‘An act in relation to labor, constituting chapter 32 of the general laws,’ and the several acts amendatory thereof and supplemental thereto.” (No. 1599, Int. No. 1166.)

“An act in relation to the board of supervisors of the county of Queens.” (No. 1373, Int. No. 1116.)

“An act to reappropriate money for the improvement and betterment of the State Armory of the Third Separate Company at Oneonta, as provided by chapter 790 of the Laws of 1897.” (No. 515, Int. No. 488.)

“An act making an appropriation for constructing a highway and bridges upon the Tonawanda Indian Reservation in Genesee county.” (No. 702, Int. No. 322.)

“An act to amend the Fisheries, Game and Forest Law in relation to the sale of undersized lobsters.” (No. 720, Int. No. 655.)

“An act to authorize the board of supervisors of Erie county to appoint a board of sidepath commissioners for any town applying for such commissioners, and to provide revenue for the con-

struction, repair and maintenance of sidepaths for bicycles." (No. 1409, Int. No. 694.)

"An act to amend the Public Health Law, relating to burials and burial permits." (No. 1253, Int. No. 1064.)

"An act to amend the Town Law, in relation to the disposition of ballots cast at town meetings." (No. 1202, Int. No. 383.)

"An act to amend chapter 661 of the Laws of 1893, entitled 'An act in relation to the public health, constituting chapter 25 of the general laws,' and the acts amendatory thereof and supplementary thereto, relating to the protection of potable water supplies." (No. 1269, Int. No. 466.)

"An act to amend the Railroad Law, relative to grade crossings." (No. 1594, Int. No. 1097.)

"An act to amend the Town Law, exempting the counties of Niagara and Orleans from provisions thereof, relating to licensing hawkers and peddlers." (No. 1597, Int. No. 222.)

"An act to amend the Fisheries, Game and Forest Law and the acts amendatory thereof, in relation to fishing through the ice in certain lakes. (No. 1271, Int. No. 617.)

"An act to amend section 1311 of the Code of Civil Procedure, in relation to appeals." (No. 1161, Int. No. 472.)

"An act to amend the Fisheries, Game and Forest Law, in relation to giving supervisors of Queens, Suffolk and Nassau counties, powers conferred." (No. 1197, Int. No. 550.)

"An act to amend the Fisheries, Game and Forest Law, relative to fishing through the ice in Greene county." (No. 1200, Int. No. 480.)

"An act to amend section 674a of the Penal Code in relation to unauthorized wearing the badge or the button of the Grand Army of the Republic." (No. 1366, Int. No. 905.)

"An act in relation to the term of office of the town treasurer of the town of Hempstead." (No. 1449, Int. No. 1179.)

"An act to repeal chapter 110 of the Laws of 1892, relative to the sale of property for unpaid taxes by the treasurer of Niagara county." (No. 1738, Int. No. 1330.)

"An act to legalize the special election of the village of Montour

Falls, held for the purpose of voting upon the question of the adoption of a system of water works, and to authorize such village to issue bonds pursuant to a proposition adopted thereat." (No. 191, Int. No. 191.)

"An act to amend section 8 of chapter 117 of the Laws of 1897, entitled 'An act to make the office of sheriff of Washington county a salaried office and regulating the management of said office.'" (No. 480, Int. No. 460.)

"An act to amend the Fisheries, Game and Forest Law, in relation to fishing in certain streams in Clinton and Franklin counties." (No. 804, Int. No. 739.)

"An act to provide for the audit and payment of certain claims for labor upon highways in the town of East Chester, in the county of Westchester." (No. 627, Int. No. 587.)

"An act to amend chapter 269 of the Laws of 1897, entitled 'An act to provide for the construction and maintenance of bridges over the waters between cities and towns or incorporated villages in said towns,' as amended by chapter 591 of the Laws of 1898." (No. 962, Int. No. 425.)

"An act to amend chapter 41 of the Laws of 1898, entitled 'An act to make the office of the county clerk of the county of Montgomery a salaried office and to provide for the conduct of said office,' relative to the county clerk's fees." (No. 1404, Int. No. 790.)

"An act to reappropriate money for repairs, improvements and betterments of the State arsenals, camp grounds and the rifle ranges at Creedmoor and throughout the State, as provided by chapter 790 of the Laws of 1897." (No. 561, Int. No. 527.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to make provision for the purchase of books for certain judicial libraries in the First Judicial Department." (No. 1067, Int. No. 934.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to legalize the official acts of John H. Mattice as justice of the peace of the town of Broome, Schoharie county." (No. 1436, Int. No. 1165.)

Ordered, That the Clerk deliver said bill to the Governor.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act to provide the necessary moneys for continuing the public schools in the year 1899 in the boroughs of Queens and Richmond, in the city of New York" (Int. No. 1494), which was read the first time.

On motion of Mr. Gale, and by unanimous consent, said bill was read the second time and ordered to a third reading, and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gardiner introduced a bill entitled "An act to amend the Code of Civil Procedure in relation to the expense of printing court calendars" (Int. No. 1493), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Poth introduced a bill entitled "An act providing that the fire commissioner of the city of New York, in his discretion, may re-appoint Charles B. Striebel, an engineer of the city of New York, who resigned from said New York fire department December 1, 1893" (Int. No. 1492), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. A. F. Schmidt introduced a bill entitled "An act to amend section 13 of article 1 of chapter 418 of the Laws of 1897, in relation to liens" (Int. No. 1495), which was read the first time and referred to the committee on general laws.

By unanimous consent,

Mr. Fowler introduced a bill entitled "An act to amend section 3 of chapter 34 of the Laws of 1858, entitled 'An act to make school district No. 9 in the town of Pomfret a Union Free school district,' relating to terms of trustees and the time of entering upon their duties" (Int. No. 1491), which was read the first time.

On motion of Mr. Fowler, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on public education.

At two o'clock and thirty minutes p. m. the House, on motion of Mr. Allds, took a recess until 8 p. m.

EIGHT O'CLOCK P. M.

The House again met.

Mr. Speaker announced the special order, being the Senate bill (No. 574) entitled "An act to facilitate the proving of the incorporation of new corporations formed by the consolidation of two or more corporations." (Rec. No. 177.)

Said bill was read the third time having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	McMillan	Schmid A F
Allds	Darrison	Hallock	Meister	Schmid F
Apgar	Davis	Harburger	Meyer	Schoeneck
Axtell	Dean	Hatch	Miles	Sears
Babcock	De Graw	Hays	Mohring	Sharkey
Baker	Delaney	Heller	O'Connell	Siems
Ball	Dillon	Henderson	O'Connor	Slater
Barrett	Doughty	Henry	Palmer	Sloane C A
Bashford	Dutton	Hill	Paris	Sloane J J
Baum	Egan	Johnson	Patton	Smith J E
Bedell	Ellis	Juengst	Phillips	Smith J T
Beede	Evarts	Kane	Pickett	Snyder
Boland	Fallows	Kelley E E	Post	Streifler
Brennan EC	Fancher	Kelly G T	Poth	Sullivan T P
Brennan J F	Farrell	Kelsey	Redington	Sullivan W J
Brewster	Finn	Kullman	Riedman	Ten Eyck
Brown	Fish	Lewis M E	Rierdon	Thorn
Bryan	Fitzgerald	Lewis T D	Roberts	Torborg
Bulkley	Fordyce	Litchard	Roche	Trainor
Burnett	Fowler	Maher	Rodenbeck	Tripp
Cain	Gale	Mangin	Sabine	Vincent
Clark	Gallagher	Martin	Sage H M	Ware
Collier	Gould	Mason	Sage S B	West

Collins	Graham	Mazet	Sanders	Whipple
Costello	Green	McEwan	Sandford	Wissel
Cottle	Greenwood	McInerney	Sands	Witter
Cotton	Grossman	McKeown	Sawyer	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1841) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, relating to temporary designations by the Governor of justices to the Appellate Division." (Int. No. 1328.)

Said concurrent resolution was read the third time in the words following:

"Concurrent resolution of the senate and assembly proposing an amendment to section 2 of article 6 of the constitution, relating to temporary designations by the governor of justices of the appellate division."

Whereas, the legislature at its regular session in eighteen hundred and ninety-eight duly adopted resolutions providing for an amendment to the constitution, relating to temporary designations by the governor, of justices to the appellate division; and which resolution was referred to the legislature to be chosen at the next general election of senators, and directed to be published in accordance with section one of article fourteen of the constitution; and

Whereas, such resolutions have been duly published in accordance with law and the constitution and referred to this legislature for action; therefore

Section 1. Resolved (if the Assembly concur), that section two of article six of the constitution be amended so as to read as follows:

§ 2. The legislature shall divide the state into four judicial departments. The first department shall consist of the county of New York; the others shall be bounded by county lines, and be compact and equal in population as nearly as may be. Once every ten years the legislature may alter the judicial departments, but without increasing the number thereof. There shall be an appellate division of the supreme court, consisting of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and the concurrence of three shall be necessary to a

decision. No more than five justices shall sit in any case. From all the justices elected to the supreme court the governor shall designate those who shall constitute the appellate division in each department; and he shall designate the presiding justice thereof, who shall act as such during his term of office, and shall be a resident of the department. The other justices shall be designated for terms of five years or the unexpired portions of their respective terms of office, if less than five years. From time to time as the terms of such designations expire, or vacancies occur, he shall make new designations. A majority of the justices so designated to sit in the appellate division in each department shall be residents of the department. He may also make temporary designations in case of the absence or inability to act of any justice in the appellate division, or in case the presiding justice of any appellate division shall certify to him that one or more additional justices are needed for the speedy disposition of the business before it. Whenever the appellate division in any department shall be unable to dispose of its business within a reasonable time, a majority of the presiding justices of the several departments at a meeting called by the presiding justice of the department in arrears may transfer any pending appeals from such department to any other department for hearing and determination. No justice of the appellate division shall exercise any of the powers of a justice of the supreme court, other than those of a justice out of court, and those pertaining to the appellate division or to the hearing and decision of motions submitted by consent of counsel. From and after the last day of December, eighteen hundred and ninety-five, the appellate division shall have the jurisdiction now exercised by the supreme court at its general terms and by the general terms of the court of common pleas for the city and county of New York, the superior court of the city of New York, the superior court of Buffalo and the city of Brooklyn, and such additional jurisdiction as may be conferred by the legislature. It shall have power to appoint and remove a reporter. The justices of the appellate division in each department shall have power to fix the times and places for holding special and trial terms therein, and to assign the justices in the departments to hold such terms; or to make rules therefor.

§ 2. Resolved (if the Assembly concur), That the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and that in conformity to section one, article fourteen of the constitution, it be published three months previous to the time of such election.

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was

determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hatch	Meyer	Schmid A F
Allds	Cross	Hays	Miles	Schmid F
Apgar	Darrison	Heller	Mohring	Schoeneck
Axtell	Davis	Henderson	Murphy	Sears
Babcock	Dean	Henry	O'Connell	Sharkey
Baker	De Graw	Hill	O'Connor	Siems
Ball	Delaney	Hitchcock	Palmer	Slater
Barrett	Dillon	Juengst	Paris	Sloane C A
Bashford	Doughty	Kane	Patton	Sloane J J
Baum	Dutton	Kelley E E	Phillips	Smith J E
Bedell	Egan	Kelly G T	Pickett	Smith J T
Beede	Ellis	Kelsey	Post	Stoneman
Boland	Evarts	Kullman	Poth	Streifler
Brennan E C	Fallows	Lewis M E	Redington	Sullivan T P
Brennan J F	Fancher	Lewis T D	Riedman	Ten Eyck
Brewster	Farrell	Litchard	Rierdon	Thorn
Brown	Finn	Maher	Roberts	Torborg
Bryan	Fish	Mangin	Roche	Trainor
Bulkley	Fitzgerald	Martin	Rodenbeck	Vincent
Burnett	Fordyce	Mason	Rogers	Ware
Cain	Gould	Mazet	Sage H M	West
Clark	Graham	McEwan	Sage S B	Whipple
Collier	Green	McInerney	Sanders	Wilson
Collins	Greenwood	McKeown	Sandford	Wingenfeld
Cottle	Grossman	McMillan	Sands	Wissel
Cotton	Guider	Meister	Sawyer	Witter
Coughtry	Hallock			

Ordered, That the Clerk deliver said concurrent resolution to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1100) entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office." (Int. No. 948.)

Said bill having been announced for a second reading,

Mr. Wilson moved to amend said bill by striking out the word "eight" and inserting the word "twelve" on line 3, page 1.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended, was then read the second time, and on motion of Mr. Wilson, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 1099) entitled "An act to make the office of sheriff of the county of Kings a salaried office and regulating the management of said office." (Int. No. 947.)

Said bill was read the second time.

On motion of Mr. Wilson said bill was placed on the order of third reading.

On motion of Mr. Wilson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	Meyer	Sands
Allds	Cross	Greenwood	Miles	Sawyer
Apgar	Darrison	Grossman	Mohring	Schmid A F
Axtell	Davis	Guider	Murphy	Schmid F
Babcock	Dean	Hays	O'Connell	Schoeneck
Baker	De Graw	Heller	O'Connor	Sears
Ball	Delaney	Henderson	Palmer	Sharkey
Barrett	Dillon	Henry	Paris	Siems
Bashford	Doughty	Juengst	Patton	Slater
Baum	Dutton	Kane	Phillips	Sloane C A
Bedell	Egan	Kelley E E	Pickett	Sloane J J
Beede	Ellis	Kelly G T	Post	Smith J E
Boland	Evarts	Kelsey	Poth	Smith J T
Brennan E C	Fallows	Kullman	Redington	Snyder
Brennan J F	Fancher	Lewis M E	Riedman	Sprague
Brewster	Farrell	Lewis T D	Rierdon	Stoneman

Brown	Finn	Litchard	Roberts	Streifler
Bryan	Fish	Maher	Roche	Sullivan T P
Bulkley	Fitzgerald	Mangin	Rodenbeck	Sullivan W J
Burnett	Fordyce	Martin	Rogers	Ware
Cain	Fowler	Mason	Rowe	West
Clark	Gale	Mazet	Russell	Whipple
Collier	Gallagher	McEwan	Sabine	Wilson
Collins	Gardiner	McInerney	Sage H M	Wingenfeld
Costello	Gleason	McKeown	Sage S B	Witter
Cottle	Gould	McMillan	Sanders	Wissel
Cotton	Graham	Meister	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1101) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office." (Int. No. 949.)

Said bill having been announced for a second reading,

Mr. Wilson moved to amend said bill by striking out the word "eight" and inserting the word "twelve" on line 3, page 1.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended, was then read the second time, and on motion of Mr. Wilson, was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 863) entitled "An act authorizing the Orange County Agricultural Society to hold real and personal property, and to issue stock to raise money for the use of the society" (Rec. No. 155), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	Meister	Sanders
Allds	Cowles	Greenwood	Meyer	Sandford
Apgar	Cross	Grossman	Miles	Sands
Axtell	Darrison	Hallock	Mohring	Schmid F
Babcock	Davis	Hatch	Murphy	Schoeneck
Baker	De Graw	Hays	O'Connell	Sears
Ball	Delaney	Heller	O'Connor	Sharkey
Barrett	Dillon	Johnson	Palmer	Siems
Bashford	Doughty	Juengst	Paris	Slater
Baum	Dutton	Kane	Patton	Sloane C A
Bedell	Egan	Kelley E E	Phillips	Sloane J J
Beede	Ellis	Kelly G T	Pickett	Stoneman
Boland	Evarts	Kelsey	Post	Streifler
Brennan E C	Fallows	Kullman	Poth	Sullivan T P
Brennan J F	Fancher	Lewis M E	Redington	Sulilvan W J
Brewster	Farrell	Lewis T D	Riedman	Ten Eyck
Brown	Finn	Litchard	Rierdon	Thorn
Bryan	Fish	Maher	Roberts	Torborg
Bulkley	Fitzgerald	Mangin	Roche	Trainor
Burnett	Fordyce	Martin	Rodenbeck	Tripp
Cain	Fowler	Mason	Rogers	Vincent
Clark	Gale	Mazet	Rowe	Ware
Collier	Gallagher	McEwan	Russell	West
Collins	Gardiner	McInerney	Sabine	Whipple
Costello	Gleason	McKeown	Sage H M	Wissel
Cottle	Gould	McMillan	Sage S B	Witter
Cotton	Graham			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 607) entitled "An act to amend the Executive Law, in relation to the fees of the Secretary of State for registering a mining claim" (Rec. No. 117), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	McKeown	Sage H M
Allds	Cowles	Guider	McMillan	Sage S B
Apgar	Cross	Hallock	Meister	Sanders
Axtell	Darrison	Harburger	Meyer	Sandford
Babcock	Davis	Hatch	Miles	Sands
Baker	Dean	Hays	Mohring	Sawyer
Ball	De Graw	Heller	Murphy	Schmid A F
Barrett	Dillon	Henry	O'Connell	Schmid F
Bashford	Doughty	Hill	O'Connor	Schoeneck
Baum	Dutton	Hitchcock	Palmer	Sears
Bedell	Evarts	Kane	Paris	Sharkey
Beede	Fallows	Kelley E E	Patton	Siems
Boland	Fancher	Kelly G T	Phillips	Slater
Brennan EO	Farrell	Kelsey	Pickett	Sloane C A
Brennan J F	Finn	Kullman	Post	Sloane J J
Brewster	Fish	Lewis M E	Poth	Snyder
Brown	Fitzgerald	Lewis T D	Redington	Sprague
Bryan	Fordyce	Litchard	Riedman	Stoneman
Bulkley	Fowler	Maher	Rierdon	Streifler
Burnett	Gale	Mangin	Roberts	Vincent
Cain	Gallagher	Martin	Roche	Ware
Clark	Gleason	Mason	Rodenbeck	West
Collier	Gould	Mazet	Rogers	Whipple
Costello	Graham	McEwan	Rowe	Wilson
Cottle	Green	McInerney	Russell	Witter
Cotton	Greenwood			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 564) entitled "An act to authorize the board of estimate and apportionment of the city of New York to audit and allow the interest on awards to owners and persons interested in the land acquired by said city within the lines of the Eastern parkway and Buffalo avenue in the city of New York" (Rec. No. 150), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were .

Adler	Coughtry	Grossman	Mazet	Sabine
Allds	Cowles	Hallock	McEwan	Sage H M
Apgar	Cross	Harburger	McInerney	Sage S B
Axtell	Darrison	Hatch	McKeown	Sanders
Babcock	Davis	Hays	McMillan	Sears
Baker	Dean	Heller	Meister	Sharkey
Ball	De Graw	Henderson	Meyer	Siems
Barrett	Delaney	Henry	Mohring	Slater
Bashford	Dillon	Hill	Murphy	Sloane C A
Baum	Doughty	Hitchcock	O'Connell	Sloane J J
Bedell	Dutton	Hoffman	O'Connor	Smith J E
Beede	Egan	Hutton	Palmer	Smith J T
Boland	Ellis	Johnson	Paris	Snyder
Brennan E C	Evarts	Juengst	Patton	Sprague
Brennan J F	Fallows	Kane	Phillips	Stoneman
Brewster	Fancher	Kelley E E	Pickett	Streifler
Brown	Farrell	Kelly G T	Poth	Sullivan T P
Bryan	Finn	Kelsey	Redington	Sullivan W J
Bulkley	Gale	Kullman	Reidman	Ten Eyck
Burnett	Gallagher	Lewis M E	Rierdon	Thorn
Cain	Gardiner	Lewis T D	Roberts	Torborg
Clark	Gleason	Litchard	Roche	West
Collier	Gould	Maher	Rodenbeck	Whipple
Collins	Graham	Mangin	Rogers	Wilson
Costello	Green	Martin	Rowe	Wingenfeld
Cottle	Greenwood	Mason	Russell	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 646) entitled "An act to amend chapter 151 of the Laws of 1844, entitled 'An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' chapter 342 of the Laws of 1867, entitled 'An act to amend an act entitled An act to authorize the construction of a timber, plank or hard road from Salina, in the county of Onondaga, to Central Square, in the county of Oswego,' relating to the continuance of its corporate

existence" (Rec. No. 197), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Harburger	Miles	Sands
Allds	Cowles	Hatch	Mohring	Sawyer
Apgar	Cross	Hays	Murphy	Schmid A F
Axtell	Darrison	Heller	O'Connell	Schmid F
Babcock	Davis	Henderson	O'Connor	Schoeneck
Baker	Dean	Henry	Palmer	Sears
Ball	De Graw	Hill	Paris	Sharkey
Barrett	Delaney	Hitchcock	Patton	Siems
Bashford	Dillon	Kelley E E	Phillips	Slater
Baum	Doughty	Kelly G T	Pickett	Sloane J J
Bedell	Dutton	Kelsey	Post	Smith J E
Beede *	Egan	Kullman	Poth	Smith J T
Boland	Ellis	Lewis M E	Redington	Snyder
Brennan E C	Evarts	Lewis T D	Riedman	Sprague
Brennan J F	Fallows	Litchard	Rierdon	Ten Eyck
Brewster	Fancher	Maher	Roberts	Thorn
Brown	Farrell	Mangin	Roche	Torborg
Bryan	Fitzgerald	Martin	Rodenbeck	Trainor
Bulkley	Fordyce	Mason	Rogers	Tripp
Burnett	Fowler	Mazet	Rowe	Vincent
Cain	Gale	McEwan	Russell	Ware
Clark	Gallagher	McInerney	Sabine	West
Collier	Gardiner	McKeown	Sage H M	Whipple
Collins	Gleason	McMillan	Sage S B	Wilson
Costello	Grossman	Meister	Sanders	Wingenfeld
Cottle	Guider	Meyer	Sandford	Witter
Cotton	Hallock			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 800) entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the

same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (Rec. No. 191), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Guider	McMillan	Sandford
Allds	Coughtry	Hallock	Meister	Sands
Apgar	Cowles	Harburger	Meyer	Sawyer
Axtell	Cross	Hatch	Miles	Schmid F
Babcock	Darrison	Hays	Mohring	Schoeneck
Baker	Davis	Heller	Murphy	Sears
Ball	Dean	Henderson	O'Connor	Siems
Barrett	Doughty	Henry	Palmer	Slater
Bashford	Dutton	Hill	Paris	Sloane C A
Baum	Egan	Hitchcock	Patton	Sloane J J
Bedell	Ellis	Hoffman	Pickett	Smith J E
Beede	Evarts	Kane	Post	Smith J T
Boland	Fallows	Kelley E E	Poth	Snyder
Brennan E C	Fancher	Kelsey	Redington	Sprague
Brennan J F	Farrell	Kullman	Riedman	Stoneman
Brewster	Finn	Lewis M E	Rierdon	Ten Eyck
Brown	Fish	Lewis T D	Roberts	Thorn
Bryan	Fitzgerald	Litchard	Roche	Torborg
Bulkley	Fordyce	Maher	Rodenbeck	Trainor
Burnett	Fowler	Mangin	Rogers	Tripp
Cain	Gale	Martin	Rowe	Vincent
Clark	Gallagher	Mason	Russell	Wilson
Collier	Graham	Mazet	Sabine	Wingenfeld
Collins	Green	McEwan	Sage H M	Wissel
Costello	Greenwood	McInerney	Sage S B	Witter
Cottle	Grossman	McKeown	Sanders	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1893) entitled "An act to amend the Agricultural Law, regulating the sale and analysis of concentrated feeding stuffs" (Int. No. 1206), was read the second time.

On motion of Mr. Witter, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1843) entitled "An act to authorize the city of Syracuse to provide for an investigation of the sources of heat and light supply for said city for public, mechanical and domestic uses, and the expediency of owning and controlling its heat and light supply" (Int. No. 697), was read the second time.

On motion of Mr. Sabine, said bill was placed on the order of third reading.

On motion of Mr. Sabine, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 142 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	Meister	Sands
Allds	Darrison	Hays	Meyer	Sawyer
Apgar	Davis	Heller	Miles	Schmid A F
Axtell	Dean	Henderson	Mohring	Schmid F
Babcock	De Graw	Henry	Murphy	Schoeneck
Baker	Delaney	Hill	O'Connell	Sears
Ball	Dillon	Hitchcock	O'Connor	Sharkey
Barrett	Doughty	Hoffman	Palmer	Siems
Bashford	Egan	Hutton	Paris	Slater
Raum	Ellis	Johnson	Patton	Sloane C A
Bedell	Evarts	Juengst	Phillips	Sloane J J
Beede	Fallows	Kane	Pickett	Smith J T
Boland	Fancher	Kelley E E	Post	Snyder
Brennan E O	Farrell	Kelly G T	Poth	Sprague
Brennan J F	Finn	Kelsey	Redington	Stoneman
Brewster	Fish	Kullman	Riedman	Streifler

Brown	Fitzgerald	Lewis M E	Rierdon	Sullivan T P
Bryan	Fordyce	Lewis T D	Roberts	Sullivan W J
Bulkley	Fowler	Litchard	Roche	Ten Eyck
Burnett	Gale	Maher	Rodenbeck	Thorn
Cain	Gallagher	Mangin	Rogers	Torborg
Clark	Gardiner	Martin	Rowe	Trainor
Collier	Gleason	Mason	Russell	Tripp
Collins	Graham	Mazet	Sabine	Vincent
Costello	Green	McEwan	Sage H M	Ware
Cottle	Greenwood	McInerney	Sage S B	West
Cotton	Grossman	McKeown	Sanders	Wissel
Coughtry	Hallock	McMillan	Sandford	Witter
Cowles	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 640, Assembly reprint No. 1836) entitled "An act to amend chapter 53 of the Laws of 1893, entitled, 'An act further to amend chapter 278 of the Laws of 1881, entitled An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse, and to change the name of such corporation'" (Rec. No. 118), was read the second time.

On motion of Mr. White, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 75, Assembly reprint No. 1837) entitled "An act to amend section 105 of chapter 31 of the general laws, known as the Fisheries, Game and Forest Law, as amended by chapter 150 of the Laws of 1897, relating to the close season for trout, in the towns of Gilboa and Conesville" (Rec. No. 136), was read the second time.

On motion of Mr. Palmer, said bill was placed on the order of third reading.

On motion of Mr. Palmer, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Guider	McInerney	Sands
Allds	Cowles	Hallock	McKeown	Sawyer
Apgar	Cross	Harburger	McMillan	Schmid A F
Axtell	Darrison	Hatch	Meister	Schmid F
Babcock	Davis	Hays	Meyer	Schoeneck
Baker	Dean	Heller	Miles	Sears
Ball	De Graw	Hill	Mohring	Sharkey
Barrett	Doughty	Hitchcock	Murphy	Siems
Bashford	Dutton	Hoffman	O'Connell	Slater
Baum	Egan	Hutton	O'Connor	Sloane C A
Bedell	Ellis	Johnson	Pickett	Smith J E
Beede	Evarts	Juengst	Post	Smith J T
Boland	Fallows	Kane	Poth	Snyder
Brennan E O	Fancher	Kelley E E	Redington	Streifler
Brennan J F	Farrell	Kelly G T	Riedman	Sullivan T P
Brewster	Finn	Kelsey	Rierdon	Sullivan W J
Brown	Fish	Kullman	Roberts	Ten Eyck
Bryan	Fitzgerald	Lewis M E	Rodenbeck	Thorn
Bulkley	Fordyce	Lewis T D	Rogers	Torborg
Burnett	Fowler	Litchard	Rowe	Trainor
Cain	Gale	Maher	Russell	Vincent
Clark	Gallagher	Mangin	Sabine	Ware
Collier	Graham	Martin	Sage H M	Wilson
Collins	Green	Mason	Sage S B	Wingenfeld
Costello	Greenwood	Mazet	Sanders	Wissel
Cottle	Grossman	McEwan	Sandford	Witter
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1840) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to taking shad in the Hudson river" (Int. No. 233), having been announced for a second reading,

On motion of Mr. H. M. Sage, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1845) entitled "An act regulating the right of suf-

frage upon questions of municipal improvements" (Int. No. 442), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1844) entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers,' relative to the powers of the board of education" (Int. No. 797), was read the second time.

On motion of Mr. J. J. Sloane, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 319, Assembly reprint No. 1838) entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 29), was read the second time.

On motion of Mr. Fordyce, said bill was placed on the order of third reading.

The bill (No. 1091) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to salt water striped bass" (Int. No. 417), was read the second time.

On motion of Mr. Meyer, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1889) entitled "An act making an appropriation for rebuilding the existing bridge over the Erie canal at Chapel street in the city of Lockport" (Int. No. 129), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1890) entitled "An act making an appropriation for constructing a tile drain on the north side of the Erie canal, in the eastern part of the village of Frankfort, in the county of Herkimer" (Int. No. 346), was read the second time.

On motion of Mr. E. E. Kelley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1892) entitled "An act to provide for the repair, repavement and improvement of North Niagara street, in the village of Tonawanda, in the county of Erie, and making an appropriation therefor" (Int. No. 792), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

On motion of Mr. Patton, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McInerney	Sands
Allds	Cowles	Grossman	McKeown	Sawyer
Apgar	Cross	Guider	McMillan	Schmid A F
Axtell	Darrison	Hallock	Meyer	Schmid F
Babcock	Davis	Harburger	Miles	Sears
Baker	De Graw	Hatch	Mohring	Sharkey
Ball	Delaney	Heller	Murphy	Slater
Barrett	Dillon	Henderson	O'Connell	Sloane C A
Bashford	Doughty	Henry	O'Connor	Smith J E
Baum	Egan	Hill	Palmer	Smith J T
Bedell	Ellis	Hitchcock	Paris	Snyder
Beede	Evarts	Hutton	Patton	Sprague
Boland	Fallows	Johnson	Phillips	Streifler
Brennan EC	Fancher	Juengst	Pickett	Sullivan T P
Brennan J F	Farrell	Kane	Poth	Sullivan W J
Brewster	Finn	Kelley E E	Redington	Ten Eyck
Brown	Fish	Kelly G T	Riedman	Thorn
Bryan	Fitzgerald	Kelsey	Rierdon	Trainor
Bulkley	Fordyce	Kullman	Roberts	Tripp
Burnett	Fowler	Lewis M E	Roche	Ware
Cain	Gale	Lewis T D	Rodenbeck	West
Clark	Gallagher	Litchard	Rowe	Whipple
Collier	Gardiner	Mangin	Russell	Wilson
Collins	Gleason	Martin	Sabine	Wingenfeld
Costello	Gould	Mason	Sage H M	Wissel
Cottle	Graham	Mazet	Sage S B	Witter
Cotton	Green	McEwan	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 608, Assembly reprint No. 1894) entitled "An act to amend chapter 672 of the Laws of 1898 in relation to expenditures for the National Guard and Naval Militia" (Rec. No. 116), was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1922) entitled "An act to amend the Code of Civil Procedure, relating to application for ancillary letters" (Int. No. 1323), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1923) entitled "An act to amend the Code of Civil Procedure, relating to service of citation by publication" (Int. No. 1325), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1924) entitled "An act to amend the Code of Civil Procedure relating to references in surrogates' courts" (Int. No. 1326), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1914) entitled "An act to amend the State Charities Law, in relation to the powers of the State Board of Charities" (Int. No. 1031), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1915) entitled "An act to confirm and legalize certain taxes and assessments in the city of Utica" (Int. No. 1267), having been announced for a second reading,

On motion of Mr. W. J. Sullivan, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1916) entitled "An act to amend the Greater New York Charter, in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes" (Int. No. 1286), was read the second time.

On motion of Mr. Meister, said bil was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1944) entitled "An act to amend the Penal Code, in relation to prize fighting and sparring exhibitions" (Int. No. 347), having been announced for a second reading,

Mr. T. P. Sullivan moved to amend said bill as follows:

Page 2, lines 6 and 11, strike out brackets.

Same page, line 6, after the word "that" insert the words "in the city of New York."

Debate was had thereon, when

Mr. T. P. Sullivan moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion, and it was determined in the affirmative.

{ AYES 84 }
{ NOES 31 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Miles	Schoeneck
Apgar	Dean	Heller	Mohring	Sears
Babcock	De Graw	Henderson	Murphy	Sharkey
Baker	Dillon	Henry	O'Connell	Sloane C A
Ball	Doughty	Hitchcock	O'Connor	Sloane J J
Barrett	Egan	Hoffman	Palmer	Smith J E
Bashford	Ellis	Juengst	Phillips	Stoneman
Bedell	Fallows	Kane	Pickett	Streifler
Beede	Fancher	Kelly G T	Redington	Sullivan T P
Boland	Farrell	Kullman	Riedman	Sullivan W J
Brennan J F	Finn	Lewis T D	Rierdon	Ten Eyck
Bryan	Fish	Maher	Roche	Torborg
Bulkley	Fitzgerald	Martin	Sabine	Trainor
Collins	Fordyce	Mason	Sandford	Wilson
Cottle	Gale	McInerney	Sawyer	Wingenfeld
Cotton	Gallagher	McKeown	Schmid A F	Wissel
Coughtry	Guider	Meyer	Schmid F	

Those who voted in the negative, were

Allds	Gardiner	Hill	Rodenbeck	Snyder
Burnett	Gleason	Johnson	Rogers	Sprague
Clark	Gould	Kelsey	Russell	Tripp

Collier	Greenwood	Lewis M E	Sage H M	West
Darrison	Hatch	Litchard	Sands	Witter
Davis	Hays	Paris	Slater	Speaker
Fowler				

Mr. M. E. Lewis moved to strike out the enacting clause of said bill.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The bill (No. 1917) entitled "An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products" (Int. No. 1195), was read the second time.

On motion of Mr. McMillan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1918) entitled "An act to mend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York" (Int. No. 1319), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1919) entitled "An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers" (Int. No. 1320), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1920) entitled "An act to amend the Code of Civil Procedure, relating to practice by the father or son of a surrogate in that Surrogates' Court" (Int. No. 1321), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1926) entitled "An act to amend sections 914, 915, 919 and 920 and to repeal sections 917 and 918 of the Code of Civil Procedure, relating to depositions taken within the State for use without the State" (Int. No. 836), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 866) entitled "An act to authorize the board of estimate and apportionment of the city of New York to

provide for the payment for the services rendered to the city of Brooklyn in the county of Kings (now forming part of the city of New York, under and by virtue of chapter 378 of the Laws of 1894), by the volunteer firemen of the towns of Flatbush, Flatlands, New Utrecht and Gravesend, respectively, annexed to said former city of Brooklyn, by chapters 356, 450, 451 and 449 of the Laws of 1894, after such respective annexation" (Rec. No. 178), was read the second time.

On motion of Mr. De Graw, said bill was placed on the order of third reading.

On motion of Mr. De Graw, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McKeown	Sawyer
Allida	Darrison	Hallock	McMillan	Schmid A F
Apgar	Davis	Harburger	Meister	Schmid F
Axtell	Dean	Hatch	Miles	Sears
Babcock	De Graw	Hays	Mohring	Sharkey
Baker	Delaney	Heller	Murphy	Siems
Ball	Dillon	Henderson	O'Connell	Sloane C A
Barrett	Doughty	Hill	Palmer	Sloane J J
Bashford	Dutton	Hitchcock	Paris	Smith J T
Baum	Egan	Hoffman	Patton	Smith J E
Bedell	Ellis	Hutton	Pickett	Sprague
Beede	Evarts	Johnson	Post	Stoneman
Boland	Fallows	Juengst	Poth	Streifler
Brennan E C	Fancher	Kelley E E	Redington	Sullivan T P
Brennan J F	Farrell	Kelly G T	Riedman	Sullivan W J
Brown	Finn	Kelsey	Rierdon	Thorn
Bryan	Fish	Kullman	Roberts	Torborg
Bulkley	Fitzgerald	Lewis M E	Roche	Trainor
Burnett	Fordyce	Lewis T D	Rodenbeck	Vincent

Cain	Gale	Litchard	Rowe	Ware
Clark	Gallagher	Mangin	Russell	West
Collier	Gardiner	Martin	Sabine	Whipple
Costello	Gould	Mason	Sage H M	Wilson
Cottle	Graham	Mazet	Sanders	Wingenfeld
Cotton	Green	McEwan	Sandford	Wissel
Coughtry	Grossman	McInerney	Sands	Witter
Cowles				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 429) entitled "An act to legalize the official acts of the assessors of the village of South Nyack" (Rec. No. 173), was read the second time.

On motion of Mr. Graham, said bill was placed on the order of third reading.

The bill (No. 1930) entitled "An act to amend the Indian Law, in relation to the sale of gypsum on Tonawanda reservation" (Int. No. 1433), was read the second time.

On motion of Mr. Ellis, said bill was place on the order of third reading and referred to the committee on revision.

The bill (No. 1962) entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers" (Int. No. 1354), having been announced for a second reading,

On motion of Mr. Cotton, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1885) entitled "An act to amend the Penal Code by inserting therein four new sections, to be known as sections 337a, 337b, 337c, and 337d, relating to gambling machines, apparatus or devices, commonly known as slot machines" (Int. No. 831), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McKeown	Sawyer
Allds	Cross	Guider	McMillan	Schmid A F
Apgar	Darrison	Hallock	Meister	Schmid F
Axtell	Davis	Harburger	Meyer	Schoeneck
Babcock	Dean	Hatch	Miles	Sears
Baker	De Graw	Hays	Mohring	Sharkey
Ball	Delaney	Heller	Murphy	Slater
Barrett	Dillon	Henderson	O'Connell	Sloane C A
Bashford	Doughty	Henry	O'Connor	Sloane J J
Baum	Dutton	Hill	Palmer	Smith J E
Bedell	Egan	Hitchcock	Paris	Smith J T
Beede	Ellis	Hoffman	Patton	Snyder
Boland	Evarts	Hutton	Phillips	Sprague
Brennan E C	Fallows	Johnson	Post	Stoneman
Brennan J F	Fancher	Juengst	Poth	Sullivan T P
Brewster	Farrell	Kane	Redington	Sullivan W J
Brown	Finn	Kelley E E	Riedman	Ten Eyck
Bryan	Fish	Kelsey	Rierdon	Thorn
Bulkley	Fitzgerald	Kullman	Roberts	Torborg
Burnett	Fordyce	Lewis M E	Roche	Trainor
Cain	Fowler	Lewis T D	Rodenbeck	Tripp
Clark	Gale	Litchard	Rowe	Vincent
Collier	Gallagher	Mangin	Russell	Ware
Collins	Gardiner	Martin	Sabine	West
Costello	Gleason	Mason	Sage S B	Whipple
Cottle	Gould	Mazet	Sanders	Wilson
Cotton	Green	McEwan	Sandford	Wingenfeld
Coughtry	Greenwood	McInerney	Sands	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1493) entitled "An act to enable the fire commissioners of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in said department" (Int. No. 1199), having been announced for a third reading,

On motion of Mr. T. P. Sullivan, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1809) entitled "An act to amend the Fisheries, Game and Forest Law, relative to fishing in Raritan Bay" (Int. No. 448), having been announced for a third reading,

On motion of Mr. Hallock, said bill was recommitted to the committee on fisheries and game, retaining its place on the order of third reading.

Mr. Palmer in the chair.

The bill (No. 1827) entitled "An act to amend the charter of the city of Rochester, in relation to local improvements" (Int. No. 1168), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McMillan	Schmid A F
Allds	Darrison	Hallock	Meister	Schmid F
Apgar	Davis	Harburger	Meyer	Schoeneck
Axtell	Dean	Hays	Miles	Sears
Babcock	De Graw	Heller	Mohring	Sharkey
Baker	Delaney	Henderson	Murphy	Siems
Ball	Dillon	Henry	O'Connell	Slater
Barrett	Doughty	Hill	O'Connor	Sloane C A
Bashford	Dutton	Hitchcock	Paris	Sloane J J
Bedell	Egan	Hoffman	Patton	Smith J T
Beede	Ellis	Hutton	Phillips	Snyder
Brennan E	Evarts	Johnson	Post	Sprague
Brennan J F	Fallows	Kelley E E	Poth	Streifler
Brewster	Fancher	Kelly G T	Redington	Sullivan T P
Brown	Farrell	Kelsey	Riedman	Sullivan W J
Bryan	Fish	Kullman	Roberts	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roche	Thorn
Burnett	Fowler	Lewis T D	Rodenbeck	Torborg
Cain	Gale	Litchard	Rogers	Trainor
Clark	Gallagher	Mangin	Rowe	Tripp
Collier	Gardiner	Martin	Russell	Vincent

Collins	Gleason	Mason	Sabine	Ware
Costello	Gould	Mazet	Sage S B	Whipple
Cottle	Graham	McEwan	Sanders	Wilson
Cotton	Greenwood	McInerney	Sandford	Wissel
Coughtry	Grossman	McKeown	Sands	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1826) entitled "An act to amend the Code of Civil Procedure, relative to costs in mandamus proceedings" (Int. No. 1089), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 136 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	Meyer	Schmid A F
Allds	Darrison	Hatch	Miles	Schmid F
Apgar	Davis	Hays	Mohring	Schoeneck
Axtell	Dean	Henderson	Murphy	Sears
Babcock	De Graw	Henry	O'Connell	Siems
Baker	Delaney	Hill	O'Connor	Slater
Ball	Dillon	Hitchcock	Palmer	Sloane C A
Barrett	Doughty	Hoffman	Paris	Sloane J J
Bashford	Dutton	Hutton	Patton	Smith J E
Baum	Egan	Johnson	Phillips	Smith J T
Beede	Ellis	Kane	Post	Snyder
Boland	Evarts	Kelley E E	Poth	Stoneman
Brennan E C	Fallows	Kelly G T	Riedman	Streifler
Brennan J F	Fancher	Kelsey	Rierdon	Sullivan T P
Brewster	Finn	Kullman	Roberts	Sullivan W J
Brown	Fish	Lewis M E	Roche	Ten Eyck
Bryan	Fitzgerald	Lewis T D	Rodenbeck	Thorn
Bulkley	Fordyce	Litchard	Rogers	Torborg
Burnett	Fowler	Mangin	Rowe	Trainor
Cain	Gale	Martin	Russell	Tripp
Clark	Gardiner	Mason	Sabine	Ware
Collier	Gleason	Mazet	Sage H M	West

Collins	Gould	McEwan	Sage S B	Whipple
Costello	Green	McInerney	Sanders	Wilson
Cottle	Greenwood	McKeown	Sandford	Wingenfeld
Cotton	Grossman	McMillan	Sands	Wissel
Coughtry	Hallock	Meister	Sawyer	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1831) entitled "An act to amend chapter 469 of the Laws of 1898, entitled 'An act to protect navigation in certain tide waters within the State of New York,' relative to the diversion of water by municipal corporations" (Int. No. 1044), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	Meister	Sands
Allds	Darrison	Hallock	Meyer	Sawyer
Apgar	Davis	Harburger	Miles	Schmid F
Axtell	De Graw	Hatch	Mohring	Schoeneck
Babcock	Delaney	Hays	Murphy	Sharkey
Baker	Dillon	Heller	O'Connell	Siems
Ball	Doughty	Henderson	O'Connor	Slater
Bashford	Dutton	Hill	Palmer	Sloane C A
Baum	Egan	Hitchcock	Paris	Sloane J J
Bedell	Ellis	Hoffman	Patton	Smith J T
Beede	Evarts	Hutton	Phillips	Snyder
Boland	Fallows	Johnson	Pickett	Sprague
Brennan E C	Fancher	Juengst	Post	Stoneman
Brennan J F	Farrell	Kane	Poth	Streifler
Brewster	Finn	Kelley E E	Redington	Sullivan W J
Brown	Fish	Kelly G T	Riedman	Sullivan T P
Bryan	Fitzgerald	Kelsey	Rierdon	Ten Eyck
Burnett	Fordyce	Kullman	Roberts	Thorn

Cain	Gale	Lewis M E	Roche	Trainor
Clark	Gallagher	Lewis T D	Rodenbeck	Tripp
Collier	Gardiner	Litchard	Rogers	Vincent
Collins	Gleason	Mangin	Rowe	Ware
Costello	Gould	Martin	Russell	West
Cottle	Graham	Mason	Sage H M	Whipple
Cotton	Green	Mazet	Sage S B	Wilson
Coughtry	Greenwood	McInerney	Sanders	Wingenfeld
Cowles	Grossman	McMillan	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1829) entitled "An act to amend section 2 of chapter 644 of the Laws of 1897, entitled 'An act relative to the opening of a public place, situate between East One Hundred and Sixty-first street and East One Hundred and Sixty-second street, and between Courtlandt avenue and the New York and Harlem Railroad, in the Twenty-third ward of the city of New York,' relative to damages awarded by the commissioners of estimate and assessment" (Int. No. 886), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 32 }

Those who voted in the affirmative, were

Adler	Ootton	Graham	Miles	Sawyer
Allds	Coughtry	Greenwood	Murphy	Sears
Apgar	Cross	Hallock	Paris	Slater
Axtell	Darrison	Hatch	Patton	Sloane C A
Babcock	Davis	Hays	Phillips	Smith J T
Baker	De Graw	Henry	Post	Snyder
Bedell	Doughty	Hill	Riedman	Sprague
Beede	Ellis	Hitchcock	Rodenbeck	Stoneman
Brennan E O	Evarts	Johnson	Rogers	Ten Eyck
Brewster	Fallows	Kelsey	Rowe	Tripp

Bryan	Fancher	Lewis M E	Russell	West
Burnett	Fish	Lewis T D	Sabine	Whipple
Clark	Fordyce	Litchard	Sage H M	Wilson
Collier	Fowler	Martin	Sandford	Witter
Costello	Gardiner	Mason	Sands	Speaker
Cottle	Gleason	Mazet		

Those who voted in the negative, were

Ball	Farrell	Kullman	Palmer	Sharkey
Barrett	Fitzgerald	Maher	Pickett	Sloane J J
Bashford	Guider	McInerney	Rierdon	Smith J E
Brennan J F	Harburger	Meyer	Schmid A F	Trainor
Dean	Henderson	O'Connell	Schmid F	Wingefeld
Dillon	Hoffman	O'Connor	Schoeneck	Wissel
Egan	Kelly G T			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1830) entitled "An act to amend the Tax Law, in relation to sales for non-payment of taxes in Sullivan county, and advertising said sales" (Int. No. 1300), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	McInerney	Sanders
Allds	Davis	Hallock	McKeown	Sands
Apgar	Dean	Harburger	McMillan	Sawyer
Axtell	De Graw	Hatch	Meyer	Schmid A F
Babcock	Delaney	Hays	Miles	Schmid F
Baker	Dillon	Heller	Mohring	Sharkey
Ball	Doughty	Henry	Murphy	Siems
Barrett	Egan	Hill	O'Connell	Slater
Bashford	Ellis	Hitchcock	Palmer	Sloane J J
Baum	Evarts	Hutton	Paris	Smith J E
Bedell	Fallows	Johnson	Patton	Smith J T

Beede	Fancher	Juengst	Phillips	Sprague
Boland	Farrell	Kane	Post	Stoneman
Brennan J F	Finn	Kelley E E	Poth	Sullivan T P
Brewster	Fish	Kelly G T	Redington	Sullivan W J
Brown	Fordyce	Kelsey	Riedman	Ten Eyck
Bryan	Fowler	Kullman	Rierdon	Thorn
Burnett	Gale	Lewis M E	Roberts	Torborg
Cain	Gallagher	Lewis T D	Roche	Tripp
Collier	Gardiner	Litchard	Rodenbeck	Vincent
Collins	Gleason	Mangin	Rogers	Ware
Cottle	Gould	Martin	Rowe	West
Cotton	Graham	Mason	Russell	Wilson
Coughtry	Green	Mazet	Sabine	Wingenfeld
Cowles	Greenwood	McEwan	Sage S B	Wissel
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1834) entitled "An act to authorize the paving or macadamizing of streets, highways and public places in the village of Port Chester, Westchester county, and to provide for the payment of the expense of the same" (Int. No. 1248), having been announced for a second reading,

Mr. Henderson moved that said bill be recommitted to the committee on affairs of villages with instructions to report the same forthwith amended as follows:

Page 2, line 25, strike out the word "to" after the word "proportion" and insert the word "that" in its place.

Page 3, line 25, strike out the comma after the word "company."

Page 5, line 4, strike out the comma after the word "trustees" and insert a semicolon.

Page 7, add to section 8, to conform to the present street surface law, the following words: "the rails of its tracks and two feet in width outside of its tracks."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Ellis, from the committee on affairs of villages, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1828) entitled "An act to amend chapter 119 of the Laws of 1888, entitled 'An act relating to employees of

the various cities and counties of the State,' relating to villages" (Int. No. 791), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McMillan	Sands
Alds	Cowles	Grossman	Meister	Schmid A F
Apgar	Cross	Hallock	Meyer	Schmid F
Axtell	Darrison	Harburger	Miles	Sears
Babcock	Davis	Hatch	Murphy	Sharkey
Baker	Dean	Hays	O'Connell	Siems
Ball	De Graw	Heller	O'Connor	Slater
Barrett	Delaney	Henry	Palmer	Sloane J J
Bashford	Doughty	Hill	Paris	Smith J E
Baum	Dutton	Hoffman	Patton	Smith J T
Bedell	Egan	Hutton	Phillips	Sprague
Beede	Ellis	Johnson	Post	Stoneman
Boland	Evarts	Juengst	Poth	Streifler
Brennan E C	Fallows	Kane	Redington	Sullivan T P
Brennan J F	Fancher	Kelly G T	Riedman	Sullivan W J
Brewster	Fish	Kelsey	Rierdon	Thorn
Brown	Fitzgerald	Kullman	Roberts	Torborg
Bulkley	Fordyce	Lewis M E	Roche	Tripp
Burnett	Fowler	Lewis T D	Rogers	Vincent
Cain	Gale	Litchard	Rowe	Ware
Clark	Gallagher	Mangin	Russell	Whipple
Collier	Gardiner	Martin	Sabine	Wilson
Collins	Gleason	Mason	Sage S B	Wingenfeld
Costello	Gould	Mazet	Sanders	Wissel
Cottle	Graham	McInerney	Sandford	Witter
Cotton	Green	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1833) entitled "An act to amend chapter 677 of the Laws of 1894" (Int. No. 1217), was read the third time, hav-

ing been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Cotton	Greenwood	McMillan	Schmid F
Allds	Cowles	Guider	Meister	Schoeneck
Apgar	Cross	Hallock	Meyer	Sears
Axtell	Darrison	Hatch	Miles	Sharkey
Babcock	Davis	Hays	Mohring	Slater
Baker	Dean	Heller	O'Connell	Sloane C A
Ball	De Graw	Henderson	O'Connor	Sloane J J
Barrett	Delaney	Hill	Palmer	Smith J E
Bashford	Doughty	Hoffman	Patton	Smith J T
Baum	Dutton	Hutton	Phillips	Sprague
Bedell	Egan	Johnson	Pickett	Stoneman
Beede	Ellis	Juengst	Poth	Streifler
Boland	Evarts	Kane	Redington	Sullivan W J
Brennan E C	Fallows	Kelly G T	Riedman	Ten Eyck
Brennan J F	Fancher	Kelsey	Rierdon	Thorn
Brewster	Farrell	Kullman	Roberts	Trainor
Brown	Finn	Lewis M E	Roche	Tripp
Bryan	Fish	Lewis T D	Rodenbeck	Vincent
Bulkley	Fitzgerald	Litchard	Rogers	Ware
Burnett	Fowler	Mangin	Russell	West
Cain	Gale	Martin	Sabine	Whipple
Clark	Gallagher	Mason	Sage H M	Wilson
Collier	Gardiner	Mazet	Sanders	Wingenfeld
Collins	Gould	McEwan	Sandford	Wissel
Costello	Graham	McInerney	Sands	Witter
Cottle	Green	McKeown	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1883) entitled "An act to levy an assessment for the cost and expense of constructing an improvement and pavement in upon and through East Main street, in the city of

Rochester, from Goodman street to the Culver road, upon property benefited thereby" (Int. No. 1145), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	McMillan	Schmid A F
Allds	Davis	Hatch	Meister	Schmid F
Apgar	Dean	Hays	Meyer	Schoeneck
Axtell	De Graw	Heller	Miles	Sears
Babcock	Delaney	Henderson	Mohring	Sharkey
Baker	Dillon	Henry	O'Connell	Siems
Ball	Doughty	Hill	O'Connor	Sloane C A
Barrett	Dutton	Hitchcock	Palmer	Sloane J J
Bashford	Egan	Hoffman	Patton	Smith J T
Baum	Ellis	Hutton	Pickett	Snyder
Bedell	Evarts	Juengst	Post	Sprague
Boland	Fallows	Kane	Poth	Stoneman
Brennan E C	Fancher	Kelley E E	Redington	Streifler
Brennan J F	Farrell	Kelly G T	Riedman	Sullivan T P
Brewster	Finn	Kelsey	Rierdon	Sullivan W J
Brown	Fish	Kullman	Roberts	Thorn
Bryan	Fitzgerald	Lewis M E	Roche	Torborg
Bulkley	Fowler	Lewis T D	Rodenbeck	Trainor
Cain	Gale	Litchard	Rogers	Tripp
Clark	Gallagher	Mangin	Rowe	Ware
Collier	Gleason	Martin	Sabine	West
Costello	Graham	Mason	Sage H M	Whipple
Cottle	Green	Mazet	Sage S B	Wilson
Cotton	Greenwood	McEwan	Sanders	Wissel
Coughtry	Grossman	McInerney	Sands	Witter
Cowles	Hallock	McKeown	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1887) entitled "An act to amend the Banking

Law, relative to statements by co-operative savings and loan associations" (Int. No. 879), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meyer	Schmid F
Allds	Davis	Harburger	Miles	Schoeneck
Apgar	Dean	Hatch	Mohring	Sears
Axtell	De Graw	Heller	Murphy	Sharkey
Babcock	Delaney	Henderson	O'Connell	Siems
Baker	Dillon	Hill	O'Connor	Slater
Ball	Dutton	Hitchcock	Palmer	Sloane C A
Barrett	Egan	Hoffman	Paris	Sloane J J
Bashford	Ellis	Hutton	Patton	Smith J E
Baum	Evarts	Johnson	Phillips	Smith J T
Bedell	Fallows	Juengst	Pickett	Snyder
Beede	Fancher	Kane	Post	Sprague
Boland	Farrell	Kelley E E	Redington	Stoneman
Brennan E C	Finn	Kelly G T	Riedman	Streifer
Brennan J F	Fish	Kelsey	Rierdon	Sullivan T P
Brewster	Fitzgerald	Kullman	Roberts	Sullivan W J
Brown	Fordyce	Lewis M E	Roche	Ten Eyck
Bryan	Fowler	Lewis T D	Rogers	Thorn
Burnett	Gale	Litchard	Russell	Trainor
Cain	Gallagher	Mangin	Sabine	Tripp
Collier	Gardiner	Martin	Sage H M	Vincent
Collins	Gleason	Mason	Sage S B	Ware
Costello	Gould	Mazet	Sanders	Whipple
Cottle	Graham	McEwan	Sandford	Wilson
Cotton	Green	McInerney	Sands	Wingenfeld
Coughtry	Greenwood	McMillan	Sawyer	Wissel
Cross	Grossman	Meister	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1888) entitled "An act to amend chapter 686

of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relating to ineligibility of county treasurers in the county of Niagara" (Int. No. 1154), having been announced for a third reading,

On motion of Mr. Darrison, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1886) entitled "An act to amend the Railroad Law, relative to grade crossings" (Int. No. 710), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McEwan	Sanders
Allds	Cross	Guider	McInerney	Sandford
Apgar	Darrison	Hallock	McKeown	Sands
Axtell	Davis	Harburger	McMillan	Sawyer
Babcock	Dean	Hatch	Meister	Schmid A F
Baker	De Graw	Hays	Meyer	Schmid F
Ball	Delaney	Heller	Miles	Sears
Barrett	Dillon	Henderson	Mohring	Sharkey
Bashford	Doughty	Henry	Murphy	Siems
Baum	Dutton	Hill	O'Connell	Sloane C A
Bedell	Egan	Hitchcock	O'Connor	Sloane J J
Beede	Ellis	Hoffman	Palmer	Smith J T
Brennan E C	Evarts	Hutton	Patton	Smith J E
Brennan J F	Fallows	Johnson	Phillips	Sprague
Brewster	Fancher	Kane	Pickett	Streifler
Brown	Farrell	Kelley E E	Poth	Sullivan T P
Bryan	Finn	Kelly G T	Redington	Sullivan W J
Bulkley	Fitzgerald	Kelsey	Riedman	Ten Eyck
Burnett	Fordyce	Kullman	Rierdon	Thorn
Cain	Fowler	Lewis M E	Roche	Trainor
Clark	Gale	Lewis T D	Rodenbeck	Vincent
Collier	Gardiner	Litchard	Rogers	Ware

Collins	Gleason	Mangin	Rowe	Whipple
Costello	Gould	Martin	Russell	Wilson
Cottle	Graham	Mason	Sage H M	Wissel
Cotton	Green	Mazet	Sage S B	Witter
Coughtry	Greenwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation" (Int. No. 366), having been announced for a third reading,

On motion of Mr. Mazet, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1690) entitled "An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Aetna Fire Company of Fort Covington, New York,' to purchase a site for and to erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance" (Int. No. 1291), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Grossman	McKeown	Sandford
Allds	Davis	Hallock	McMillan	Sawyer
Apgar	DeGraw	Harburger	Meister	Schmid A F
Axtell	Delaney	Hatch	Meyer	Schmid F
Babcock	Dillon	Hays	Mohring	Schoeneck
Baker	Doughty	Heller	Murphy	Sears
Ball	Dutton	Henry	O'Connell	Sharkey
Barrett	Egan	Hill	O'Connor	Siems
Bashford	Ellis	Hitchcock	Palmer	Sloane C A
Baum	Evarts	Hoffman	Paris	Smith J E
Bedell	Fallows	Hutton	Patton	Smith J T

Beede	Fancher	Johnson	Phillips	Snyder
Brennan E C	Farrell	Juengst	Pickett	Sprague
Brennan J F	Finn	Kane	Poth	Streifler
Brewster	Fish	Kelley E E	Redington	Sullivan T P
Bryan	Fitzgerald	Kelsey	Riedman	Sullivan W J
Bulkley	Fordyce	Kullman	Rierdon	Ten Eyck
Burnett	Fowler	Lewis M E	Roberts	Thorn
Cain	Gale	Lewis T D	Roche	Trainor
Clark	Gallagher	Litchard	Rodenbeck	Tripp
Collier	Gardiner	Mangin	Rogers	Vincent
Costello	Gleason	Martin	Rowe	West
Cottle	Gould	Mason	Russell	Whipple
Cotton	Graham	Mazet	Sage H M	Wilson
Coughtry	Green	McEwan	Sage S B	Wingenfeld
Cross	Greenwood	McInerney	Sanders	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1673) entitled "An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house and to authorize the purchase of a site for and the erection thereon of a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof" (Int. No. 1273), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meister	Schmid F
Allds	Darrison	Harburger	Meyer	Schoeneck
Apgar	Davis	Hatch	Miles	Sears
Axtell	Dean	Hays	Mohring	Sharkey
Babcock	De Graw	Henderson	Murphy	Siems
Baker	Delaney	Henry	O'Connell	Slater

Ball	Doughty	Hill	O'Connor	Sloane J J
Barrett	Dutton	Hitchcock	Palmer	Smith J E
Bashford	Egan	Hoffman	Patton	Smith J T
Bedell	Evarts	Hutton	Phillips	Snyder
Beede	Fallows	Johnson	Pickett	Sprague
Boland	Fancher	Juengst	Post	Stoneman
Brennan, E C	Farrell	Kelley E E	Poth	Streifler
Brewster	Fish	Kelly G T	Redington	Sullivan T P
Brown	Fitzgerald	Kelsey	Riedman	Ten Eyck
Bryan	Fordyce	Kullman	Roberts	Thorn
Bulkley	Fowler	Lewis M E	Roche	Torborg
Burnett	Gale	Lewis T D	Rodenbeck	Trainor
Clark	Gallagher	Litchard	Rogers	Tripp
Collier	Gardiner	Mangin	Russell	Vincent
Collins	Gould	Martin	Sabine	Ware
Costello	Graham	Mason	Sage H M	Whipple
Cottle	Green	Mazet	Sanders	Wingenfeld
Cotton	Greenwood	McEwan	Sandford	Wissel
Coughtry	Grossman	McInerney	Sands	Witter
Cowles	Guider	McKeown	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1675) entitled "An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol, and certain acts of the officers thereof" (Int. No. 1275), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gleason	McKeown	Sanders
Allds	Coughtry	Graham	McMillan	Sandford
Apgar	Cowles	Green	Meister	Sands
Axtell	Cross	Greenwood	Meyer	Sawyer
Babcock	Darrison	Grossman	Miles	Schmid A F
Baker	Davis	Hallock	Mohring	Schoeneck
Ball	Dean	Harburger	Murphy	Sears

Barrett	De Graw	Hatch	O'Connell	Sharkey
Bashford	Delaney	Heller	O'Connor	Slater
Baum	Dillon	Henderson	Palmer	Sloane C A
BedeN	Doughty	Hill	Paris	Smith J E
Beede	Dutton	Hoffman	Phillips	Smith J T
Boland	Egan	Hutton	Pickett	Snyder
Brennan E C	Ellis	Juengst	Post	Sprague
Brennan J F	Evarts	Kane	Poth	Stoneman
Brewster	Fallows	Kelly G T	Redington	Sullivan T P
Brown	Fancher	Kelsey	Riedman	Sullivan W J
Bryan	Farrell	Kullman	Rierdon	Ten Eyck
Bulkley	Finn	Lewis M E	Roberts	Torborg
Burnett	Fish	Lewis T D	Roche	Trainor
Cain	Fitzgerald	Litchard	Rodenbeck	Vincent
Clark	Fordyce	Mangin	Rogers	West
Collier	Fowler	Martin	Rowe	Whipple
Collins	Gale	Mason	Russell	Wingefeld
Costello	Gallagher	Mazet	Sabine	Wissel
Cottle	Gardiner	McInerney	Sage H M	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1910) entitled "An act to amend chapter 212 of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws,' relative to the use armories" (Int. No. 275), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 121 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Darrison	Grossman	McInerney	Sandford
Allds	Davis	Guider	McKeown	Sands
Apgar	De Graw	Hallock	McMillan	Sawyer
Axtell	Delaney	Harburger	Meister	Schmid A F
Babcock	Dillon	Hatch	Miles	Schmid F
Baker	Doughty	Hays	Mohring	Schoeneck
Ball	Dutton	Heller	Murphy	Sears

Barrett	Egan	Hill	O'Connor	Slater
Bashford	Ellis	Hitchcock	Palmer	Sloane C A
Baum	Evarts	Hoffman	Paris	Smith J E
Bedell	Fallows	Hutton	Phillips	Smith J T
Beede	Fancher	Juengst	Pickett	Sprague
Brennan E C	Farrell	Kane	Poth	Stoneman
Brennan J F	Finn	Kelley E E	Redington	Streitler
Brewster	Fish	Kelly G T	Riedman	Sullivan T P
Bryan	Fitzgerald	Kelsey	Rierdon	Ten Eyck
Burnett	Fordyce	Kullman	Roberts	Thorn
Cain	Fowler	Lewis M E	Roche	Trainor
Clark	Gale	Lewis T D	Rogers	Tripp
Collins	Gallagher	Litchard	Rowe	Ware
Costello	Gardiner	Martin	Russell	Whipple
Cotton	Gould	Mason	Sabine	Wilson
Coughtry	Green	Mazet	Sage H M	Wingenfeld
Cowles	Greenwood	McEwan	Sage S B	Wissel
Cross				

In the negative,

Graham

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1907) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fishing in Lake Erie" (Int. No. 1266), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meister	Sandford
Allds	Cowles	Harburger	Meyer	Sands
Apgar	Cross	Hatch	Miles	Sawyer
Axtell	Darrison	Hays	Mohring	Schmid A F
Babcock	Davis	Henderson	Murphy	Schmid F
Baker	Dean	Hill	O'Connell	Schoeneck

Ball	De Graw	Hitchcock	O'Connor	Sears
Barrett	Delaney	Hoffman	Palmer	Siems
Bashford	Doughty	Hutton	Paris	Slater
Baum	Dutton	Johnson	Patton	Sloane C A
Bedell	Egan	Juengst	Phillips	Sloane J J
Beede	Ellis	Kane	Pickett	Smith J E
Brennan E C	Evarts	Kelly G T	Poth	Smith J T
Brennan J F	Fancher	Kelsey	Redington	Snyder
Brewster	Farrell	Kullman	Riedman	Sprague
Brown	Finn	Lewis M E	Roberts	Stoneman
Bryan	Fish	Lewis T D	Roche	Streifler
Bulkley	Fitzgerald	Litchard	Rodenbeck	Sullivan T P
Burnett	Fordyce	Mangin	Rogers	Sullivan W J
Cain	Gale	Martin	Rowe	Ten Eyck
Clark	Gallagher	Mason	Russell	Torborg
Collier	Gardiner	Mazet	Sabine	Ware
Collins	Gleason	McEwan	Sage H M	Wilson
Costello	Gould	McInerney	Sage S B	Wissel
Cottle	Graham	McKeown	Sanders	Witter
Cotton	Green	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 691, Assembly reprint No. 1906) entitled "An act to amend the Town Law, in relation to the licensing of hawkers and peddlers, as amended by chapter 538 of the Laws of 1898" (Rec. No. 144), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 124 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Grossman	McInerney	Sanders
Allds	Coughtry	Guider	McKeown	Sandford
Apgar	Cowles	Hallock	McMillan	Sands
Axtell	Cross	Harburger	Meister	Sawyer
Babcock	Darrison	Hatch	Meyer	Schmid A F
Baker	Davis	Hays	Miles	Schmid F

Ball	Dean	Heller	Mohring	Schoeneck
Barrett	De Graw	Henderson	Murphy	Sharkey
Bashford	Delaney	Henry	O'Connell	Siems
Baum	Doughty	Hill	O'Connor	Sloane C A
Bedell	Dutton	Hitchcock	Palmer	Sloane J J
Beede	Ellis	Hutton	Paris	Smith J T
Boland	Evarts	Johnson	Phillips	Snyder
Brennan E C	Fallows	Juengst	Post	Stoneman
Brennan J F	Fancher	Kane	Poth	Sullivan T P
Brewster	Finn	Kelley E E	Redington	Ten Eyck
Brown	Fish	Kelsey	Riedman	Thorn
Bryan	Fitzgerald	Kullman	Rierdon	Trainor
Burnett	Fordyce	Lewis M E	Roche	Tripp
Cain	Gale	Lewis T D	Rodenbeck	Ware
Clark	Gardiner	Mangin	Rogers	West
Collier	Gleason	Martin	Russell	Wilson
Collins	Graham	Mason	Sabine	Wingenfeld
Costello	Green	Mazet	Sage S B	Witter
Cottle	Greenwood	McEwan	Sage H M	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1945) entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, and 2627 of the Code of Civil Procedure, relating to revocation of probate" (Int. No. 303), having been announced for a third reading,

On motion of Mr. Hill, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1958) entitled "An act to amend chapter 379 of the Laws of 1862, entitled 'An act to exempt all that part of the city of Albany lying west of Allen street from certain taxes and assessments, and for auditing the accounts of the commissioner and overseers of highways in that district,' relative to exemptions" (Int. No. 598), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McKeown	Sawyer
Allds	Cross	Hallock	Meister	Schmid A F
Apgar	Darrison	Hatch	Meyer	Schmid F
Axtell	Davis	Hays	Miles	Sears
Babcock	Dean	Henderson	Mohring	Sharkey
Baker	Delaney	Henry	O'Connell	Slater
Ball	Dillon	Hill	O'Connor	Sloane C A
Barrett	Doughty	Hitchcock	Palmer	Sloane J J
Bashford	Dutton	Hutton	Patton	Smith J E
Baum	Ellis	Johnson	Phillips	Smith J T
Bedell	Evarts	Juengst	Pickett	Sprague
Beede	Fallows	Kane	Post	Stoneman
Boland	Fancher	Kelley E E	Poth	Streifler
Brennan E C	Finn	Kelly G T	Redington	Sullivan W J
Brennan J F	Fish	Kelsey	Riedman	Ten Eyck
Brewster	Fordyce	Kullman	Rierdon	Torborg
Bryan	Gale	Lewis T D	Roberts	Trainor
Bulkley	Gallagher	Lewis M E	Rodenbeck	Tripp
Burnett	Gardiner	Litchard	Rogers	Vincent
Cain	Gleason	Mangin	Rowe	Ware
Clark	Gould	Martin	Russell	Whipple
Collier	Graham	Mason	Sabine	Wilson
Costello	Green	Mazet	Sage S B	Wingenfeld
Cottle	Greenwood	McEwan	Sanders	Wissel
Cotton	Grossman	McInerney	Sandford	Witter
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1908) entitled "An act to amend the Consolidated School Law, relative to alteration of school districts by commissioners" (Int. No. 219), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McKeown	Schmid A F
Alds	Cross	Hallock	McMillan	Schmid F
Apgar	Darrison	Harburger	Meister	Schoeneck
Axtell	Davis	Hatch	Meyer.	Sears
Babcock	Dean	Hays	Miles	Sharkey
Baker	De Graw	Heller	Murphy	Slater
Ball	Delaney	Henderson	O'Connell	Sloane C A
Barrett	Doughty	Henry	O'Connor	Sloane J J
Bashford	Dutton	Hill	Palmer	Smith J T
Baum	Egan	Hitchcock	Patton	Smith J E
Bedell	Ellis	Hoffman	Phillips	Sprague
Beede	Evarts	Johnson	Pickett	Stoneman
Boland	Fallows	Juengst	Post	Streifler
Brennan E C	Farrell	Kane	Poth	Sullivan T P
Brennan J F	Finn	Kelly G T	Redington	Sullivan W J
Brewster	Fitzgerald	Kelsey	Riedman	Ten Eyck
Brown	Fordyce	Kullman	Rierdon	Thorn
Bryan	Fowler	Lewis M E	Roche	Torborg
Bulkley	Gale	Lewis T D	Rodenbeck	Tripp
Burnett	Gallagher	Litchard	Rogers	Vincent
Cain	Gardiner	Mangin	Rowe.	Ware
Clark	Gleason	Martin	Sabine	Whipple
Collier	Gould	Mason	Sage H M	Wilson
Costello	Graham	Mazet	Sanders	Wingenfeld
Cottle	Green	McEwan	Sandford	Wissel
Cotton	Greenwood	McInerney	Sands	Witter
Coughtry	Grossman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1909) entitled "An act for the protection of the public health, and to provide for medical attendance at places of public entertainment" (Int. No. 1054), having been announced for a third reading,

On motion of Mr. Schoeneck, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest" (Int. No. 175), having been announced for a third reading,

On motion of Mr. Miles, and by unanimous consent, said bill was made a special order on third reading for Tuesday next, immediately after the reading of the journal.

Mr. Speaker resumed the chair.

The Senate bill (No. 589) entitled "An act to authorize the common council of the city of Yonkers to appropriate money towards the expenses of the entertainment of the convention of the New York State Firemen's Association to be held in said city during the year 1899" (Rec. No. 198), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	Mason	Russell
Allds	Coughtry	Green	Mazet	Sage S B
Apgar	Cowles	Greenwood	McEwan	Sage H M
Axtell	Cross	Grossman	McInerney	Sandford
Babcock	Darrison	Guider	McKeown	Sawyer
Baker	Davis	Hallock	McMillan	Schmid F
Ball	Dean	Harburger	Meister	Sears
Barrett	De Graw	Hatch	Meyer	Siems
Bashford	Delaney	Hays	Miles	Sloane C A
Baum	Dillon	Heller	Mohring	Sloane J J
Bedell	Doughty	Henderson	Murphy	Smith J T
Beede	Dutton	Henry	O'Connell	Sprague
Brennan E C	Egan	Hill	O'Connor	Stoneman
Brennan J F	Ellis	Hitchcock	Paris	Streifler
Brewster	Evarts	Hoffman	Patton	Sullivan T P
Brown	Fallows	Hutton	Pickett	Ten Eyck
Bryan	Fancher	Juengst	Post	Thorn
Bulkley	Farrell	Kane	Poth	Trainor
Burnett	Fish	Kelley E E	Riedman	Vincent
Cain	Fitzgerald	Kelsey	Rierdon	Ware
Clark	Fordyce	Kullman	Roberts	Whipple
Collier	Fowler	Lewis M E	Roche	Wilson
Collins	Gale	Lewis T D	Rodenbeck	Wissel
Costello	Gallagher	Litchard	Rogers	Witter
Cottle	Gardiner	Martin		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1839) entitled "An act to amend chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws,' in relation to liens of hotel, inn, boarding and lodging house keepers" (Int. No. 1293), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading.

On motion of Mr. Fallows, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 90 }

Those who voted in the affirmative, were

Adler	Delaney	Hays	Meyer	Schmid A F
Allds	Dillon	Henderson	Miles	Schmid F
Apgar	Doughty	Henry	Mohring	Schoeneck
Axtell	Dutton	Hill	Murphy	Sears
Babcock	Egan	Hitchcock	O'Connell	Sharkey
Ball	Ellis	Hoffman	O'Connor	Siems
Barrett	Fallows	Hutton	Palmer	Slater
Bashford	Fancher	Johnson	Paris	Sloane J J
Bedell	Finn	Juengst	Patton	Smith J E
Beede	Fish	Kane	Phillips	Smith J T
Brennan E C	Fitzgerald	Kelley E E	Pickett	Snyder
Brennan J F	Fordyce	Kelly G T	Post	Sprague
Brown	Fowler	Kelsey	Redington	Streifler
Bulkley	Gale	Kullman	Riedman	Sullivan T P
Burnett	Gallagher	Lewis M E	Rierdon	Sullivan W J
Cain	Gardiner	Lewis T D	Roberts	Ten Eyck
Clark	Gleason	Litchard	Roche	Thorn
Collier	Gould	Mangin	Rodenbeck	Torborg

Costello	Graham	Martin	Rogers	Trainor
Cotton	Green	Mason	Rowe	Tripp
Coughtry	Greenwood	Mazet	Russell	Vincent
Cowles	Grossman	McEwan	Sage H M	Ware
Cross	Guider	McInerney	Sage S B	Whipple
Darrison	Hallock	McKeown	Sanders	Wilson
Davis	Harburger	McMillan	Sandford	Wingenfeld
Dean	Hatch	Meister	Sands	Wissel
De Graw				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bil (No. 1612) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897," (Int. No. 1261), having been announced for a second reading,

On motion of Mr. T. D. Lewis, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 321) entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations' " (Int. No. 313), having been announced for a third reading.

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on second reading, for Monday next, immediately after the reading of the journal.

The bill (No. 1872) entitled "An act to amend chapter 58 of the Laws of 1890, entitled 'An act to incorporate the city of Corning,' and the acts amendatory thereof and supplemental thereto " (Int. No. 1386), was read the second time.

On motion of Mr. Cross, said bill was placed on the order of third reading.

On motion of Mr. Cross, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	McMillan	Sands
Allds	Cross	Hatch	Meister	Sawyer
Apgar	Darrison	Hays	Miles	Schmid F
Babcock	Davis	Heller	Mohring	Schoeneck
Baker	Dean	Henry	Murphy	Sears
Ball	DeGraw	Hill	O Connor	Sharkey
Barrett	Delaney	Hitchcock	Palmer	Siems
Bashford	Dillon	Hoffman	Patton	Slater
Baum	Dutton	Hutton	Phillips	Floane J J
Bedell	Egan	Johnson	Pickett	Smith J E
Beede	Evarts	Juengst	Poth	Snyder
Boland	Fallows	Kane	Redington	Sprague
Brennan E C	Fancher	Kelley E E	Riedman	Streiffer
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brewster	Fitzgerald	Kullman	Roberts	Ten Eyck
Bryan	Fordyce	Lewis M E	Roche	Thorn
Bulkley	Gale	Litchard	Rodenbeck	Torborg
Burnett	Gallagher	Mangin	Rogers	Tripp
Cain	Gleason	Martin	Rowe	Vincent
Clark	Gould	Mason	Russell	West
Collins	Graham	Mazet	Sabine	Whipple
Costello	Green	McEwan	Sage H M	Wingenfeld
Cottle	Greenwood	McInerney	Sanders	Wissel
Cotton	Grossman	McKeown	Sandford	Witter
Coughtry	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1626) entitled "An act to amend article 5 of chapter 568 of the Laws of the State of New York enacted in 1895, entitled 'An act to incorporate the city of Johnstown,' by adding thereto a new section relative to the acceptance of streets or highways" (Int. No. 1298), having been announced for a second reading,

On motion of Mr. Hays, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1854) entitled "An act to amend chapter 117 of the Laws of 1888, entitled 'An act to incorporate Post James M. Brown Memorial Hall Association, and to create a trust for the disposition of its funds and property'" (Int. No. 1390), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 781) entitled "An act to amend chapter 206 of the Laws of 1896, entitled 'An act to amend chapter 326 of the Laws of 1895, as amended by chapter 706 of the Laws of 1895, entitled An act to provide for the incorporation of associations for lending money on personal property, and to forbid certain loans of money, property or credit'" (Int. No. 716), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading.

On motion of Mr. Bedell, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Sandford
Allds	Cross	Grossman	McMillan	Sawyer
Apgar	Darrison	Guider	Meister	Schmid A F
Axtell	Davis	Hallock	Meyer	Schmid F
Babcock	Dean	Harburger	Miles	Schoeneck
Baker	De Graw	Hatch	Murphy	Sharkey
Ball	Delaney	Hays	O'Connell	Siems
Barrett	Dillon	Heller	O'Connor	Slater
Bashford	Doughty	Henderson	Palmer	Sloane J J
Baum	Dutton	Henry	Patton	Smith J E
Bedell	Egan	Hill	Phillips	Smith J T
Beede	Ellis	Hitchcock	Pickett	Snyder
Boland	Evarts	Hoffman	Post	Sprague
Brennan E C	Fallows	Johnson	Poth	Stoneman
Brewster	Fancher	Kane	Redington	Streifler
Brown	Farrell	Kelley E E	Riedman	Sullivan T P
Bryan	Finn	Kelsey	Rierdon	Ten Eyck
Bulkley	Fish	Kullman	Roberts	Torborg
Burnett	Fitzgerald	Lewis M E	Roche	Trainor

Cain	Fordyce	Lewis T D	Rogers	Vincent
Clark	Fowler	Litchard	Rowe	Ware
Collier	Gale	Mangin	Russell	West
Collins	Gallagher	Martin	Sabine	Wilson
Costello	Gardiner	Mason	Sage H M	Wingenfeld
Cottle	Gleason	Mazet	Sage S B	Wissel
Cotton	Gould	McEwan	Sanders	Witter
Coughtry	Graham	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill No. (1015) entitled "An act to grant to the city of Yonkers certain land under water on the Hudson river, below high water mark, for purposes of a public street and bridge, and certain other land adjacent thereto for slip purposes" (Int. No. 887), was read the second time.

On motion of Mr. J. J. Sloane, said bill was placed on the order of third reading.

On motion of Mr. J. J. Sloane, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Grossman	Meyer	Schoeneck
Allds	Coughtry	Hallock	Miles	Sears
Apgar	Cowles	Hatch	Mohring	Sharkey
Axtell	Cross	Hays	Murphy	Slater
Babcock	Darrison	Heller	O'Connell	Sloane C A
Baker	Davis	Henry	O'Connor	Sloane J J
Ball	Dean	Hill	Paris	Smith J E
Barrett	Delaney	Hoffman	Phillips	Snyder
Baum	Dillon	Hutton	Pickett	Sprague
Bedell	Doughty	Juengst	Poth	Streifler
Beede	Dutton	Kane	Redington	Sullivan T P
Boland	Egan	Kelley E E	Riedman	Sullivan W J

Brennan J F	Evarts	Kelsey	Rierdon	Ten Eyck
Brewster	Fallows	Kullman	Roberts	Thorn
Brown	Fancher	Lewis M E	Rodenbeck	Torborg
Bryan	Finn	Lewis T D	Rogers	Trainor
Bulkley	Fordyce	Litchard	Russell	Tripp
Burnett	Fowler	Mangin	Sabine	Vincent
Cain	Gallagher	Martin	Sage H M	Ware
Clark	Gardiner	Mason	Sanders	Whipple
Collier	Gleason	Mazet	Sandford	Wilson
Collins	Graham	McEwan	Sands	Wingenfeld
Costello	Green	McInerney	Sawyer	Wissel
Cottle	Greenwood	Meister	Schmid F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1700) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property" (Int. No. 1314), having been announced for a second reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on second reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1802) entitled "An act to amend the Domestic Relations Law, relating to the effect of legitimatizing illegitimate children" (Int. No. 1369), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading.

On motion of Mr. Slater, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 115 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Greenwood	McInerney	Sanders
Allds	Coughtry	Grossman	McKeown	Sandford
Apgar	Cowles	Guider	McMillan	Sawyer
Axtell	Cross	Harburger	Meister	Schmid F
Babcock	Darrison	Hatch	Meyer	Schoeneck
Baker	Davis	Hays	Mohring	Sharkey
Ball	Dean	Henderson	Murphy	Siems
Bashford	De Graw	Henry	O'Connell	Sloane C A
Baum	Delaney	Hitchcock	O'Connor	Smith J E
Bedell	Doughty	Hoffman	Paris	Smith J T
Beede	Dutton	Johnson	Patton	Snyder
Boland	Egan	Juengst	Phillips	Stoneman
Brennan E	Cellis	Kane	Post	Streifler
Brewster	Evarts	Kelley E E	Poth	Sullivan W J
Brown	Fancher	Kelsey	Redington	Ten Eyck
Bryan	Farrell	Kullman	Riedman	Torborg
Bulkley	Finn	Lewis M E	Roberts	Tripp
Burnett	Fitzgerald	Lewis T D	Roche	Vincent
Clark	Fordyce	Litchard	Rodenbeck	Ware
Collier	Gale	Mangin	Rogers	Whipple
Collins	Gardiner	Martin	Russell	Wingenfeld
Costello	Gleason	Mason	Sabine	Wissel
Cottle	Graham	Mazet	Sage H M	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 901) entitled "Concurrent resolution of the Senate and Assembly proposing amendments to article 3, section 18, of the Constitution, relating to exemptions of real and personal property from taxation" (Int. No. 425), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1902) entitled "An act to authorize the Jamestown Co-operative Supply Company to issue nontransferable stock" (Int. No. 1426), was read the second time.

On motion of Mr. Fowler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1874) entitled "An act to legalize the election of three assessors for a full term of two years each at the town

meeting held in the town of Florence, in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890 " (Int. No. 1410), was read the second time.

On motion of Mr. Mason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1931) entitled "An act to legalize the appropriation of \$14,000, made by a majority of the electors of the town of Carlton, Orleans county, N. Y., at the last annual town meeting in said town on March 14, 1899 " Int. No. 1434), was read the second time.

On motion of Mr. Evarts, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1862) entitled "An act to amend section 2 of chapter 560 of the Laws of 1853, entitled 'An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal Church in the diocese of New York,' passed July 18, 1853, as amended by chapter 15 of the laws of 1887, passed February 16, 1887 " (Int. No. 1398), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1129) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof " (Int. No. 965), was read the second time.

On motion of Mr. Bulkley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1842) entitled "An act making East Utica street, and West Utica street and Massachusetts street, in the city of Buffalo, park approaches " (Int. No. 153), having been announced for a second reading,

On motion of Mr. Streifler, said bill was recommitted to the committee on affairs of cities, retaining its place on the order of second reading.

The bill (No. 1875) entitled "An act to amend the Highway Law, in relation to the adoption of the money system" (Int. No. 1411), was announced for a second reading.

On motion of Mr. W. J. Sullivan, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 892) entitled "An act to incorporate the 'Improved Order of Red Men's Home Association of New York'" (Rec. No. 167), was read the second time.

On motion of Mr. G. T. Kelly, said bill was placed on the order of third reading.

The Senate bill (No. 775) entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville'" (Rec. No. 194), was read the second time.

On motion of Mr. Hatch, said bill was placed on the order of third reading.

The bill (No. 951) entitled "An act to amend section 23 of the Public Officers Law, relating to removals by the Governor" (Int. No. 206), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

Pursuant to notice, Mr. Guider called up the bill (No. 339) entitled "An act relating to the rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company" (Int. No. 328), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. Guider, and by unanimous consent, said bill was made a special order on second reading for Tuesday next immediately after the reading of the journal.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 236, entitled "An act providing that the police commissioners of the city of New York, in their discretion, may reappoint Archibald Hamilton, an ex-policeman of the city of New York, who resigned from said police department, September 5, 1882" (No. 1022), reported in favor of the passage of the same, without

amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Finn, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Finn, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	McKeown	Sawyer
Allds	Cowles	Guider	McMillan	Schmid A F
Apgar	Cross	Hallock	Meister	Schmid F
Axtell	Darrison	Hatch	Miles	Schoeneck
Babcock	Davis	Hays	Mohring	Sears
Baker	Dean	Heller	Murphy	Sharkey
Ball	De Graw	Henderson	O'Connell	Slater
Barrett	Delaney	Henry	O'Connor	Sloane C A
Bashford	Dillon	Hitchcock	Palmer	Sloane J J
Baum	Doughty	Hoffman	Paris	Smith J E
Bedell	Dutton	Hutton	Patton	Smith J T
Beede	Egan	Johnson	Phillips	Sprague
Boland	Evarts	Juengst	Pickett	Stoneman
Brennan E C	Fallows	Kane	Poth	Streifler
Brennan J F	Farrell	Kelley E E	Redington	Sullivan T P
Brewster	Finn	Kelly G T	Rierdon	Sullivan W J
Brown	Fish	Kelsey	Roberts	Ten Eyck
Bryan	Fitzgerald	Kullman	Roche	Torborg
Bulkley	Fowler	Lewis M E	Rodenbeck	Trainor
Burnett	Gale	Lewis T D	Rogers	Tripp
Cain	Gallagher	Litchard	Rowe	Ware
Clark	Gardiner	Mangin	Russell	West
Collier	Gleason	Martin	Sabine	Wilson
Collins	Gould	Mason	Sage H M	Wingenfeld
Costello	Graham	Mazet	Sanders	Wissel
Cottle	Green	McEwan	Sandford	Witter
Cotton	Greenwood	McInerney	Sands	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. De Graw from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Sabine, Int. No. 1481, entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act relating to taxation, constituting chapter 24 of the general laws, relating to exemptions of property owned by fraternal associations or corporations connected with colleges and universities'" (No. 1995), reported in favor of the passage of the same, with the following amendment:

Page 4 line 2, beginning with the word "including" underscore all down to and including the word "or" in line 8.

ABRAM C. DE GRAW.

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended and placed on the order of second reading.

Mr. Fish offered for the consideration of the House a resolution in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 575, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities" (Int. No. 541), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the bill (No. 11, Senate reprint No. 1153) entitled "An act in relation to an assessment for the grading, construction and improvement of Surf avenue, in the city of New York, late town of Gravesend, Kings county" (Int. No. 11), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 2, strike out the word "one-fourth" and insert the word "one-third."

Strike out the whole of section five and insert the following:

"§ 5. Any deficiency arising from the non-collection of the assessment for said improvement shall be met by levying and raising the same in the general taxes of the city of New York, in the manner provided by law, and shall be charged and apportioned as follows:

One-half of said deficiency shall be charged and levied upon the taxable property in the late town of Gravesend, now the Thirty-first ward of the borough of Brooklyn, in said city, and the remaining one-half thereof shall be charged and levied upon the taxable property in the borough of Brooklyn of said city of New York."

Mr. De Graw moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McInerney	Sandford
Allds	Cross	Guider	McKeown	Sands
Apgar	Darrison	Hallock	McMillan	Schmid A F
Babcock	Davis	Harburger	Meister	Schmid F
Baker	Dean	Hatch	Meyer	Schoeneck
Ball	De Graw	Hays	Miles	Sears
Bashford	Delaney	Heller	Mohring	Siems
Baum	Dillon	Henderson	Murphy	Slater
Bedell	Dutton	Henry	O'Connell	Sloane J J
Beede	Egan	Hill	Palmer	Smith J E
Boland	Ellis	Hoffman	Paris	Snyder
Brennan E C	Evarts	Hutton	Patton	Sprague
Brennan J F	Fallows	Johnson	Phillips	Streifler
Brewster	Fancher	Juengst	Post	Sullivan T P
Brown	Finn	Kane	Poth	Sullivan W J
Bryan	Fish	Kelley E E	Redington	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Riedman	Thorn
Burnett	Fordyce	Kullman	Rierdon	Torborg
Cain	Fowler	Lewis M E	Roberts	Trainor

Clark	Gale	Lewis T D	Roche	Vincent
Collier	Gallagher	Litchard	Rogers	Ware
Collins	Gardiner	Mangin	Rówe	West
Costello	Gleason	Martin	Russell	Whipple
Cottle	Gould	Mason	Sabine	Wingenfeld
Cotton	Graham	Mazet	Sage S B	Wissel
Coughtry	Greenwood	McEwan	Sanders	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same without amendment:

“An act in relation to Clinton avenue, in the borough of Brooklyn, in the city of New York.” (No. 784, Int. No. 719.)

“An act in relation to an assessment for the grading, construction and improvement of Surf avenue, in the city of New York, late town of Gravesend, Kings county.” (No. 157, Senate reprint No. 1153, Int. No. 11.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of New York.

Mr. Maher gave notice that on Tuesday, April 4, he would call up the Assembly bill, No. 1635, entitled “An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in the city of New York” (Int. No. 40), the same having been laid aside on the order of third reading.

Mr. Mazet presented a memorial from the board of rapid transit railroad commissioners of the city of New York, which was laid upon the table and ordered printed.

(See Document.)

Mr. Clark presented several petitions against the passage of any bill legalizing the sale of liquor on Sunday, etc., which were referred to the committee on excise.

Also, several petitions against repeal of the law providing for the teaching of physiology and hygiene in public schools, which were referred to the committee on public education.

Also, several petitions against the passage of a bill by Mr.

Rodenbeck, entitled "An act to exempt municipal corporations from assessment and taxation of their property situated outside of their corporations," which were referred to the committee on taxation and retrenchment.

Leave of absence was granted to Messrs. Maher and Lewis for Friday's session.

By unanimous consent,

Mr. Fallows introduced a bill entitled "An act to amend chapter 690 of the Laws of 1892, entitled 'An act in relation to insurance corporations, constituting chapter 38 of the general laws,' relating to powers of casualty insurance corporations" (Int. No. 1508), which was read the first time and referred to the committee on insurance.

By unanimous consent,

Mr. Patton introduced a bill entitled "An act to authorize and empower the town board of the town of Tonawanda in Erie county, to refund the indebtedness created for improving the Delaware road in said town and to provide for the payment thereof" (Int. No. 1507), which was read the first time.

On motion of Mr. Patton, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

By unanimous consent,

Mr. Slater introduced a bill entitled "An act to amend the Banking Law in relation to the rights of shareholders of co-operative savings and loan associations" (Int. No. 1504), which was read the first time and referred to the committee on banks.

By unanimous consent,

Mr. Henderson introduced a bill entitled "An act for the protection of life and property against loss or damage from the operation of steam boilers, steam and passenger elevator machinery by incompetent persons" (Int. No. 1505), which was read the first time and referred to the committee on the judiciary.

By unanimous consent,

Mr. Martin introduced a bill entitled "An act to amend chapter 326 of the Laws of 1895, entitled 'An act to provide for the incor-

poration of associations for lending money on personal property, and to forbid certain loans of money, property or credit,' relative to the powers of such associations" (Int. No. 1506), which was read the first time and referred to the committee on the judiciary.

On motion of Mr. Allds, the House adjourned.

FRIDAY, MARCH 31, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Geo. W. Brown.

On motion of Mr. Miles, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Adler introduced a bill entitled "An act to amend the State Charities' Law, in relation to correction of evils in administration of instructions" (Int. No. 1496), which was read the first time and referred to the committee on charitable and religious societies.

Mr. Bedell introduced a bill entitled "An act to amend section 89 of the Code of Civil Procedure" (Int. No. 1497), which was read the first time and referred to the committee on codes.

Mr. Coughtry introduced a bill entitled "An act to provide for the publication and distribution of a compilation of the highway laws, without expense to the State" (Int. No. 1498), which was read the first time and referred to the committee on internal affairs.

Mr. Collier introduced a bill entitled "An act in relation to judicial sales in the county of Kings" (Int. No. 1499), which was read the first time and referred to the committee on the judiciary.

Mr. Gale introduced a bill entitled "An act to amend section 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the

county of Kings, the county of Richmond and a part of the county of Queens, and to provide for the government thereof " (Int. No. 1500), which was read the first time and referred to the committee on affairs of cities.

Mr. M. E. Lewis introduced a bill entitled "An act to amend the Town Law and the acts amendatory thereof relative to the holding of biennial meetings" (Int. No. 1501), which was read the first time and referred to the committee on the judiciary.

Mr. T. D. Lewis introduced a bill entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego, as amended by chapter 263 of the Laws of 1897'" (Int. No. 1502), which was read the first time and referred to the committee on affairs of cities.

Mr. Mohring introduced a bill entitled "An act to amend the Penal Code by inserting therein an additional section immediately following section 675a, and to be known as section 675b, prohibiting the use of glucose in the manufacture or preparation of candy" (Int. No. 1503), which was read the first time and referred to the committee on codes.

Mr. E. C. Brennan introduced a bill entitled "An act to authorize the police board of the city of New York to inquire into the dismissal from the police board of Patrick Ginley, a patrolman, and in its discretion to reinstate him" (Int. No. 1509), which was read the first time and referred to the committee on affairs of cities.

Mr. Ware introduced a bill entitled "An act to amend the Greater New York Charter, in relation to the department of public charities" (Int. No. 1510), which was read the first time and referred to the committee on affairs of cities.

Mr. Roche introduced a bill entitled "An act to authorize the city of New York to construct a pier at the foot of Market street, in the borough of Manhattan, in the city of New York" (Int. No. 1511), which was read the first time and referred to the committee on affairs of cities.

The Senate sent for concurrence the following entitled bills:

"An act to amend sections 773, 774, 777, 780 and 781 of the

Code of Criminal Procedure, relating to coroners and coroners' juries " (No. 1083, Rec. No. 227), which was read the first time and referred to the committee on codes.

"An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation " (No. 1021, Rec. No. 228), which was read the first time and referred to the committee on railroads.

"An act to incorporate Delancey Divinity School " (No. 1010, Rec. No. 229), which was read the first time and referred to the committee on charitable and religious societies.

" An act to authorize the construction of a bridge over the Erie canal, at West avenue, in the city of Rochester, and making an appropriation therefor " (No. 1131, Rec. No. 243), which was read the first time and referred to the committee on ways and means.

" An act to amend article 3 of title 1 of chapter 10 of the Code of Civil Procedure by adding thereto a section to be known as section 1023 of said Code " (No. 939, Rec. No. 244), which was read the first time and referred to the committee on codes.

" An act to reappropriate moneys appropriated by chapter 570 of the Laws of 1897, and by chapter 619 of the Laws of 1898, for the repairs of approaches and for the construction of a swing bridge in the town of Waterford " (No. 330, Rec. No. 245), which was read the first time and referred to the committee on ways and means.

" An act to amend chapter 18 of the general laws, known as the County Law, being chapter 686 of the Laws of 1892, with respect to coroners, and to add an additional section to said chapter " (No. 722, Rec. No. 246), which was read the first time and referred to the committee on the judiciary.

" An act relating to the acknowledgment and proof of the execution of instruments in writing and to facilitate the taking of oaths and affirmations by persons within the islands of Cuba, Porto Rico, Guam, the Philippine islands and the islands of Hawaii " (No. 793, Rec. No. 247), which was read the first time and referred to the committee on the judiciary.

“An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled ‘An act relating to villages, constituting chapter 21 of the general laws’” (No. 919, Rec. No. 248), which was read the first time and referred to the committee on affairs of villages.

“An act to amend chapter 908 of the Laws of 1896, entitled ‘An act in relation to taxation, constituting chapter 24 of the general laws,’ as amended” (No. 996, Rec. No. 249), which was read the first time and referred to the committee on general laws.

“An act to amend sections 110 and 145 of the Fisheries, Game and Forest Law, in relation to the open season for taking bass and pickerel and taking minnows for bait” (No. 969, Rec. No. 250), which was read the first time and referred to the committee on fisheries and game.

“An act to amend sections 845, 846, 848 and 851 of the Code of Civil Procedure, in relation to administering an oath” (No. 941, Rec. No. 251), which was read the first time and referred to the committee on codes.

“An act to amend section 341 of the Code of Civil Procedure, relating to jurisdiction of county courts” (No. 1061, Rec. No. 252), which was read the first time and referred to the committee on codes.

“An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer” (No. 995, Rec. No. 253), which was read the first time and referred to the committee on fisheries and game.

“An act to amend the Fisheries, Game and Forest Law, relative to closing waters stocked with fish at public expense” (No. 719, Rec. No. 254), which was read the first time and referred to the committee on fisheries and game.

“An act to amend the Fisheries, Game and Forest Law, relating to the transportation of trout” (No. 994, Rec. No. 255), which was read the first time and referred to the committee on fisheries and game.

“An act to amend the Fisheries, Game and Forest Law in relation to grouse and other birds” (No. 971, Rec. No. 256), which was

read the first time and referred to the committee on fisheries and game.

"An act to confirm and legalize certain taxes and assessments in the city of Utica" (No. 955, Rec. No. 257), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 1268 of the Code of Civil Procedure, relating to a discharge of a judgment against a bankrupt discharged from his debts" (No. 927, Rec. No. 258), which was read the first time and referred to the committee on codes.

"An act making an appropriation for the Thomas Asylum for Orphan and Destitute Indian Children" (No. 1130, Rec. No. 259), which was read the first time and referred to the committee on ways and means.

"An act to amend the Lien Law, in relation to sales of personal property to satisfy liens" (No. 1162, Rec. No. 260), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals" (No. 1062, Rec. No. 261), which was read the first time and referred to the committee on codes.

"An act to amend an act entitled 'An act to create a public improvement commission in and for the city of Cohoes and define its powers and duties' passed April 12, 1898," (No. 711, Rec. No. 262), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 429 of the Laws of 1893, entitled 'An act to provide for the compilation and continuance and care of certain indexes and records in the Albany county clerk's office'" (No. 364, Rec. No. 263), which was read the first time and referred to the committee on internal affairs.

"An act to amend section 100 of the Railroad Law, in relation to motive power" (No. 1014, Rec. No. 264), which was read the first time and referred to the committee on railroads.

"An act to amend chapter 566 of the Laws of 1890, entitled 'An act in relation to transportation corporations excepting railroads, constituting chapter 40 of the general laws' and the several acts

amendatory thereof" (No. 1152, Rec. No. 265), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 4 of chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' as amended by chapter 212 of the Laws of 1891, in relation to the free flow of water in rivers and streams" (No. 1060, Rec. No. 267), which was read the first time and referred to the committee on general laws.

"An act to authorize the National Conservatory of Music of America to contract with its pupils in relation to compensation for their instruction" (No. 1087, Rec. No. 268), which was read the first time.

On motion of Mr. Roche, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on the judiciary.

"An act to authorize the macadamizing of streets, avenues or highways, and the construction of the necessary drains, curbing and gutters therefor, and in connection therewith, in the village of White Plains, Westchester county, and to provide the manner and means of paying therefor" (No. 758, Rec. No. 269), which was read the first time and referred to the committee on affairs of villages.

"An act to amend chapter 481 of the Laws of 1897, entitled 'An act to amend the Town Law, and the acts amendatory thereof, relating to the holding of biennial town meetings,' as amended by chapter 474 of the Laws of 1898, and providing as to the term of office of supervisor and certain other town officers" (No. 1034, Rec. No. 270), which was read the first time and referred to the committee on the judiciary.

"An act to extend the time for the collection of taxes in the towns and cities of the county of Westchester, New York" (No. 771, Rec. No. 271), which was read the first time.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Apgar, and by unanimous consent, said bill was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	Meyer	Schmid A F
Allds	Darrison	Harburger	Miles	Schmid F
Apgar	Davis	Hatch	Mohring	Schoeneck
Axtell	Dean	Hays	Murphy	Sears
Babcock	De Graw	Heller	O'Connell	Sharkey
Baker	Delaney	Henderson	O'Connor	Siems
Ball	Doughty	Henry	Palmer	Sloane C A
Barrett	Dutton	Hill	Paris	Sloane J J
Bashford	Egan	Hoffman	Phillips	Smith J E
Baum	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Kane	Poth	Sprague
Boland	Fancher	Kelley E E	Redington	Streifler
Brennan E C	Farrell	Kelly G T	Rierdon	Sullivan T P
Brennan J F	Finn	Kelsey	Roberts	Sullivan W J
Brown	Fitzgerald	Kullman	Roche	Ten Eyck
Bryan	Fordyce	Lewis M E	Rodenbeck	Thorn
Bulkley	Fowler	Lewis T D	Rogers	Torborg
Burnett	Gale	Litchard	Rowe	Trainor
Cain	Gallagher	Mangin	Russell	Tripp
Clark	Gardiner	Martin	Sabine	Vincent
Collier	Gleason	Mason	Sage H M	Ware
Collins	Gould	Mazet	Sage S B	Whipple
Costello	Graham	McEwan	Sanders	Wilson
Cottle	Green	McInerney	Sandford	Wingenfeld
Cotton	Greenwood	McMillan	Sands	Wissel
Coughtry	Grossman	Meister	Sawyer	Witter
Cowles	Guider			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act for the relief of the First Universalist Society of Mount Vernon, New York, a religious corporation” (No. 728, Rec.

No. 272), which was read the first time and referred to the committee on charitable and religious societies.

“An act to amend section 3314 of the Code of Civil Procedure relative to fees of jurors” (No. 756, Rec. No. 273), which was read the first time and referred to the committee on codes.

“An act to amend chapter 635 of the Laws of 1895, entitled ‘An act to revise the charter of the city of Yonkers’” (No. 1012, Rec. No. 274), which was read the first time and referred to the committee on affairs of cities.

“An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon and to procure and maintain proper fire apparatus for the protection of the property in such village against fire and to provide a proper method and means of payment therefor” (No. 759, Rec. No. 275), which was read the first time and referred to the committee on affairs of villages.

“An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to taking shad, herring and other fish in the Hudson and Delaware rivers, and other waters” (No. 791, Rec. No. 276), which was read the first time and referred to the committee on affairs of cities.

“An act to authorize the board of estimate and apportionment of the city of New York to apply the proceeds of certain bonds heretofore issued for school purposes in the former school district No. 1, in the towns of Castleton and Middletown, county of Richmond, and now contained within the borough of Richmond, in the city of New York, to similar purposes in another location within said borough” (No. 1059, Rec. No. 277), which was read the first time.

On motion of Mr. Doughty, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Doughty, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McInerney	Sandford
Allds	Cowles	Grossman	McKeown	Sands
Apgar	Cross	Hallock	McMillan	Schmid A F
Axtell	Darrison	Harburger	Meister	Schmid F
Babcock	Davis	Hatch	Miles	Schoeneck
Baker	Dean	Hays	Mohring	Sears
Ball	De Graw	Henderson	Murphy	Sharkey
Barrett	Delaney	Henry	O'Connell	Slater
Bashford	Dillon	Hill	O'Connor	Sloane C A
Baum	Doughty	Hitchcock	Palmer	Sloane J J
Redell	Dutton	Hutton	Patton	Smith J E
Beede	Egan	Johnson	Phillips	Snyder
Boland	Ellis	Juengst	Post	Sprague
Brennan E C	Evarts	Kane	Poth	Stoneman
Brennan J F	Fancher	Kelley E E	Redington	Sullivan W J
Brewster	Farrell	Kelly G T	Rierdon	Ten Eyck
Brown	Finn	Kelsey	Roberts	Thorn
Bryan	Fish	Kullman	Roche	Torborg
Bulkley	Fitzgerald	Lewis M E	Rodenbeck	Trainor
Burnett	Fordyce	Lewis T D	Rogers	Vincent
Cain	Fowler	Litchard	Rowe	Ware
Clark	Gale	Mangin	Russell	Whipple
Collier	Gallagher	Martin	Sabine	Wilson
Collins	Gardiner	Mason	Sage H M	Wingenfeld
Costello	Gould	Mazet	Sage S B	Wissel
Cottle	Graham	McEwan	Sanders	Witter
Cotton	Green			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act to amend chapter 556 of the Laws of 1894, entitled 'An act to revise, amend and consolidate the general acts relating to public instruction,' in relation to the collector's notice to taxpayers" (No. 628, Rec. No. 278), which was read the first time and referred to the committee on public education.

"An act to amend the State Charities Law, constituting chapter 26 of the general laws, relative to monthly estimates of expenses" (No. 1123, Rec. No. 279), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 2342 of the Code of Civil Procedure, relative to committee of incompetent persons" (No. 736, Rec. No. 280), which was read the first time and referred to the committee on codes.

"An act for the sanitary protection of the public water supply of the cities, towns and villages in the county of St. Lawrence" (No. 1036, Rec. No. 281), which was read the first time and referred to the committee on internal affairs.

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning" (No. 451, Rec. No. 282), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 1373 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the clerks and assistant clerks of municipal court of said city" (No. 1058, Rec. No. 283), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Penal Code, relative to malicious mischiefs and other injuries to property" (No. 928, Rec. No. 284), which was read the first time and referred to the committee on codes.

"An act in relation to the Wallabout market lands in the borough of Brooklyn in the city of New York" (No. 1125, Rec. No. 285), which was read the first time.

On motion of Mr. DeGraw, and by unanimous consent, said bill was read the second time, and ordered to a third reading,

On motion of Mr. DeGraw, and by unanimous consent, said bill was then read the third time having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were .

Adler	Cowles	Greenwood	McInerney	Schoeneck
Allds	Cross	Grossman	McKeown	Sears
Apgar	Darrison	Hallock	McMillan	Sharkey
Babcock	Davis	Harburger	Meister	Siems
Baker	Dean	Hatch	Miles	Slater
Ball	De Graw	Hays	Mohring	Sloane C A
Barrett	Delaney	Heller	Murphy	Sloane J J
Bashford	Dillon	Henderson	O'Connor	Smith J E
Baum	Doughty	Henry	Palmer	Smith J T
Bedell	Dutton	Hill	Paris	Snyder
Beede	Egan	Hitchcock	Phillips	Sprague
Boland	Ellis	Hoffman	Post	Stoneman
Brennan E C	Evarts	Hutton	Poth	Sullivan T P
Brennan J F	Fallows	Johnson	Redington	Sullivan W J
Brewster	Fancher	Juengst	Riedman	Ten Eyck
Brown	Farrell	Kane	Roberts	Thorn
Bryan	Finn	Kelley E E	Roche	Torborg
Bulkley	Fish	Kelsey	Rodenbeck	Trainor
Burnett	Fitzgerald	Kullman	Rogers	Tripp
Cain	Fordyce	Lewis M E	Russell	Vincent
Clark	Fowler	Lewis T D	Sabine	Ware
Collier	Gale	Litchard	Sage S B	West
Collins	Gardiner	Mangin	Sanders	Whipple
Costello	Gleason	Martin	Sands	Wilson
Cottle	Gould	Mazet	Sawyer	Wissel
Cotton	Graham	McEwan	Schmid A F	Witter
Coughtry	Green			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

"An act relating to Lind avenue, from Wolf street to Aqueduct avenue, borough of the Bronx, in the city of New York" (No. 986, Rec. No. 286), which was read the first time and referred to the committee on affairs of cities.

"An act to amend the Fisheries, Game and Forest Law, relating to the close season for wild fowl" (No. 970, Rec. No. 288), which was read the first time and referred to the committee on fisheries and game.

"An act to amend section 37 of chapter 338 of the Laws of 1894, entitled 'An act relating to canals, constituting chapter 13 of the general laws'" (No. 272, Rec. No. 289), which was read the first time.

On motion of Mr. Burnett, and by unanimous consent, said bill was read the second time and ordered to a third reading,

On motion of Mr. Burnett, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meister	Sawyer
Allds	Davis	Harburger	Miles	Schmid A F
Apgar	Dean	Hatch	Mohring	Schmid F
Axtell	De Graw	Hays	Murphy	Sears
Babcock	Delaney	Heller	O'Connell	Sharkey
Baker	Dillon	Henderson	O'Connor	Siems
Ball	Doughty	Henry	Palmer	Sloane C A
Barrett	Dutton	Hill	Patton	Sloane J J
Bashford	Egan	Hitchcock	Phillips	Smith J E
Baum	Ellis	Hoffman	Pickett	Smith J T
Bedell	Evarts	Hutton	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Brennan E C	Farrell	Kane	Redington	Stoneman

Brennan J F	Finn	Kelley E E	Riedman	Streifler
Brewster	Fish	Kelly G T	Rierdon	Sullivan T P
Brown	Fitzgerald	Kelsey	Roberts	Ten Eyck
Bryan	Fordyce	Kullman	Roche	Thorn
Bulkley	Fowler	Lewis M E	Rodenbeck	Torborg
Cain	Gale	Lewis T D	Rogers	Trainor
Clark	Gallagher	Litchard	Rowe	Tripp
Collier	Gardiner	Mangin	Russell	Vincent
Collins	Gleason	Martin	Sabine	Ware
Costello	Gould	Mason	Sage H M	Whipple
Cottle	Graham	Mazet	Sage S B	Wilson
Cotton	Green	McEwan	Sanders	Wingenfeld
Coughtry	Greenwood	McInerney	Sandford	Wissel
Cowles	Grossman	McMillan	Sands	Witter
Cross				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

“An act to amend chapter 747 of the Laws of 1896, entitled ‘An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers’” (No. 948, Rec. No. 290), which was read the first time and referred to the committee on affairs of cities.

“An act to amend section 11 of the Membership Corporation Law, entitled ‘An act relative to membership corporations’” (No. 1128, Rec. No. 291), which was read the first time and referred to the committee on the judiciary.

“An act to repeal certain acts and parts of acts, relating to sentences of persons convicted of felonies” (No. 1065, Rec. No. 293), which was read the first time and referred to the committee on the judiciary.

“An act to amend section 52 of the Code of Civil Procedure, in relation to the jurisdiction of county judges” (No. 1063, Rec. No. 294), which was read the first time and referred to the committee on codes.

“An act to amend section 830 of the Code of Civil Procedure” (No. 1163, Rec. No. 295), which was read the first time and referred to the committee on codes.

“An act entitled ‘An act to regulate the publication of the general and local laws passed by the legislature of this State, and other State printing in the county of Schuyler, New York’ ” (No. 914, Rec. No. 296), which was read the first time and referred to the committee on internal affairs.

“An act to amend the charter of the city of Ithaca, in relation to the jurisdiction of the recorder ” (No. 762, Rec. No. 297), which was read the first time and referred to the committee on affairs of cities.

“An act to amend chapter 615 of the Laws of 1894, entitled ‘An act to revise the charter of the city of Elmira’ ” (No. 447, Rec. No. 298), which was read the first time and referred to the committee on affairs of cities.

“An act to authorize the city of Utica to acquire, construct, maintain and operate a system of municipal water works for the supply of said city and its inhabitants with water and to provide the necessary funds therefor and creating a commission for the purpose ” (No. 1055, Rec. No. 299), which was read the first time and referred to the committee on affairs of cities.

“An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post-offices and other government offices in the cities of this State, and ceding jurisdiction over such lands ” (No. 1166, Rec. No. 302), which was read the first time.

On motion of Mr. Mason, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Mason, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hays	Mohring	Schmid A F
Allds	Davis	Heller	Murphy	Schoeneck
Apgar	Dean	Henderson	O'Connell	Sears
Axtell	De Graw	Hill	O'Connor	Sharkey .
Babcock	Delaney	Hitchcock	Palmer	Siems
Ball	Doughty	Hutton	Paris	Slater
Barrett	Dutton	Johnson	Patton	Sloane C A
Bashford	Egan	Juengst	Phillips	Sloane J J
Baum	Evarts	Kane	Pickett	Smith J E
Beede	Fallows	Kelley E E	Post	Smith J T
Boland	Fancher	Kelsey	Poth	Snyder
Brennan E C	Farrell	Kullman	Redington	Sprague
Brennan J F	Fish	Lewis M E	Rierdon	Stoneman
Brewster	Fitzgerald	Lewis T D	Roberts	Streifler
Bryan	Fowler	Litchard	Roche	Sullivan T P
Bulkley	Gale	Mangin	Rodenbeck	Sullivan W J
Burnett	Gallagher	Martin	Rogers	Ten Eyck
Cain	Gardiner	Mason	Rowe	Thorn
Clark	Gleason	Mazet	Russell	Torborg
Collier	Gould	McEwan	Sabine	Tripp
Collins	Graham	McInerney	Sage H M	Ware
Costello	Green	McKeown	Sage S B	West
Cottle	Greenwood	McMillan	Sanders	Whipple
Cotton	Grossman	Meister	Sandford	Wilson
Coughtry	Guider	Meyer	Sands	Wissel
Cowles	Hallock	Miles	Sawyer	Witter
Cross	Harburger			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1972) entitled "An act to amend section 52 of the Banking Law relative to stockholders, as amended by chapter 441 of the Laws of 1897" (Int. No. 516), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1517) entitled "An act to amend section 59-a of the Railroad Law, relative to extensions of street surface railroads" (Int. No. 712), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1314) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and constituting chapter 24 of the general laws,' relating to the taxation of municipal property" (Int. No. 467), having been announced for a second reading,

On motion of Mr. Rodenbeck, and by unanimous consent, said bill was made a special order on second reading for Tuesday next, immediately after the reading of the journal.

The bill (No. 1971) entitled "An act to provide for a safe repository for mechanics' tools" (Int. No. 382) was read the second time.

On motion of Mr. O'Connell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1973) entitled "An act to regulate the use of bicycles, tricycles and similar vehicles, and to require uniformity of ordinance affecting the same" (Int. No. 1096), was read the second time.

On motion of Mr. Collins, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1343) entitled "An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication" (Int. No. 1103), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1370) entitled "An act providing that the police commissioners of the city of New York, in their discretion, may reappoint Thomas P. Wilson, an ex-policeman in the borough of Brooklyn, in the city of New York, who resigned from the police department of the borough of Brooklyn of the city of New York, January 16, 1889" (Int. No. 1113), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading.

On motion of Mr. E. C. Brennan, and by unanimous consent, said bill was read the third time, having been printed and upon the

desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	Mazet	Sands
Allds	Darrison	Guider	McEwan	Schmid A F
Apgar	Davis	Hallock	McKeown	Schmid F
Axtell	Dean	Harburger	McMillan	Sears
Babcock	Delaney	Hatch	Meister	Sharkey
Baker	Dillon	Hays	Miles	Siems
Ball	Dutton	Heller	Mohring	Slater
Barrett	Egan	Henry	Murphy	Sloane C A
Bashford	Ellis	Hill	O'Connor	Sloane J J
Baum	Evarts	Hitchcock	Paris	Smith J T
Bedell	Fallows	Hoffman	Phillips	Snyder
Beede	Fancher	Hutton	Pickett	Sprague
Boland	Farrell	Johnson	Poth	Streifer
Brennan E C	Finn	Juengst	Redington	Sullivan T P
Brennan J F	Fish	Kane	Rierdon	Ten Eyck
Brown	Fitzgerald	Kelley E E	Roberts	Thorn
Bryan	Fordyce	Kelly G T	Roche	Torborg
Bulkley	Fowler	Kelsey	Rodenbeck	Trainor
Burnett	Gale	Kullman	Rogers	Vincent
Cain	Gallagher	Lewis M E	Rowe	Ware
Clark	Gardiner	Lewis T D	Russell	West
Collier	Gleason	Litchard	Sabine	Whipple
Collins	Gould	Mangin	Sage S B	Wingenfeld
Cottle	Graham	Martin	Sanders	Wissel
Cotton	Green	Mason	Sandford	Witter
Coughtry	Greenwood			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1689) entitled "An act for the promotion of commerce on the seaboard and inland waters of this State" (Int. No. 1290), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 445) entitled "An act to authorize the selection, location and appropriation of certain lands in the town of Dix, in the county of Schuyler and State of New York for a State park, or reservation, and to preserve the scenery of what is known as the 'Watkins Glen' and to make it a place of public resort and pleasure" (Int. No. 426), was read the second time.

On motion of Mr. C. A. Sloane, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 344) entitled "An act to amend chapter 553 of the Laws of 1895, entitled 'An act in relation to the Supreme Court in the First Judicial District and the Appellate Division thereof, in the first department,' as amended by chapter 363 of the Laws of 1896, and chapter 656 of the Laws of 1897, and chapter 379 of the Laws of 1898, in relation to the compensation of clerks" (Int. No. 333), was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading.

On motion of Mr. Mazet, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hays	Meister	Sands
Allds	Davis	Heller	Meyer	Sawyer
Apgar	Dean	Henderson	Mohring	Schmid F
Axtell	De Graw	Henry	Murphy	Schoeneck
Babcock	Delaney	Hill	O'Connell	Sears
Baker	Doughty	Hitchcock	Palmer	Sharkey
Ball	Dutton	Hoffman	Paris	Siems
Barrett	Egan	Johnson	Patton	Slater
Bashford	Evarts	Juengst	Phillips	Sloane J J

Baum	Fallows	Kane	Pickett	Smith J E
Beede	Fancher	Kelley E E	Post	Snyder
Boland	Farrell	Kelly G T	Poth	Sprague
Brennan E C	Fish	Kelsey	Redington	Stoneman
Brennan J F	Fitzgerald	Kullman	Riedman	Streifer
Brewster	Fowler	Lewis M E	Rierdon	Sullivan W J
Bryan	Gale	Lewis T D	Roberts	Ten Eyck
Bulkley	Gallagher	Litchard	Roche	Torborg
Burnett	Gardiner	Mangin	Rodenbeck	Trainor
Cain	Gleason	Martin	Rogers	Tripp
Collier	Gould	Mason	Rowe	Ware
Collins	Graham	Mazet	Russell	West
Costello	Greenwood	McEwan	Sabine	Whipple
Cottle	Grossman	McInerney	Sage H M	Wilson
Cotton	Guider	McKeown	Sage S B	Wingenfeld
Coughtry	Hallock	McMillan	Sandford	Witter
Cowles	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1248) entitled "An act to provide for an additional cottage for the New York State School for the Blind at Batavia, and making an appropriation therefor" (Int. No. 1959), was read the second time.

On motion of Mr. Ellis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1934) entitled "An act to extend the time of redemption of taxes on the land of the German Lutheran St. Nicodemus Church of Marilla, Erie county, N. Y." (Int. No. 1437), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading.

On motion of Mr. Patton, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	Martin	Sandford
Allds	Cowles	Green	Mason	Sawyer
Apgar	Cross	Greenwood	Mazet	Schmid A F
Axtell	Darrison	Grossman	McEwan	Schoeneck
Babcock	Davis	Guider	McKeown	Sears
Baker	Dean	Harburger	McMillan	Sharkey
Ball	Delaney	Hatch	Meister	Slater
Barrett	Dillon	Hays	Meyer	Sloane C A
Bashford	Doughty	Heller	Mohring	Sloane J J
Baum	Dutton	Henderson	Murphy	Smith J E
Beede	Egan	Henry	O'Connell	Snyder
Boland	Ellis	Hill	O'Connor	Sprague
Brennan E C	Evarts	Hitchcock	Paris	Stoneman
Brennan J F	Fallows	Hoffman	Patton	Streifler
Brewster	Fancher	Hutton	Phillips	Ten Eyck
Brown	Farrell	Johnson	Post	Thorn
Bryan	Finn	Juengst	Poth	Torborg
Burnett	Fish	Kelley E E	Rierdon	Tripp
Cain	Fordyce	Kelly G T	Roberts	Vincent
Clark	Fowler	Kelsey	Rodenbeck	Ware
Collier	Gale	Kullman	Rogers	Whipple
Collins	Gallagher	Lewis M E	Rowe	Wilson
Costello	Gardiner	Lewis T D	Sabine	Wingenfeld
Cottle	Gleason	Litchard	Sage H M	Wissel
Cotton	Gould	Mangin	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1040) entitled "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants'" (Int. No. 907), was read the second time.

On motion of Mr. Dillon, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1608) entitled "An act in relation to the drainage of agricultural lands" (Int. No. 1264), was read the second time.

On motion of Mr. S. B. Sage, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 396) entitled "An act to regulate the occupation of

barbers and to provide for the sanitary inspection of barber shops" (Int. No. 381), having been announced for a second reading,

On motion of Mr. McEwan, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 726) entitled "An act to amend chapter 39 of the general laws, entitled 'An act in relation to railroads'" (Int. No. 661), having been announced for a second reading,

On motion of Mr. Torborg, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 931) entitled "An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation" (Int. No. 825), was read the second time.

On motion of Mr. Russell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 724) entitled "An act to regulate the use of lands forming part of the right of way of any railroad company, the road of which has been removed from the surface in, or adjacent to, streets and highways in all cities of the first class in this State" (Int. No. 659), having been announced for a second reading,

On motion of Mr. Torborg, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The bill (No. 1850) entitled "An act to amend the Poor Law, in relation to relief of soldiers by Grand Army posts" (Int. No. 1385), was read the second time.

On motion of Mr. Cotton, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 69) entitled "An act relating to the discontinuance of proceedings for the improvements of certain streets in the Twenty-six ward of the late city of Brooklyn" (Rec. No. 165), was read the second time.

On motion of Mr. Torborg, said bill was placed on the order of third reading.

On motion of Mr. Torborg, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

REMARK/Those who voted in the affirmative, were

Adler	Darrison	Guider	McInerney	Sands
Allds	Davis	Hallock	McKeown	Schmid A F
Apgar	De Graw	Harburger	Meister	Schmid F
Axtell	Delaney	Hatch	Meyer	Schoeneck
Baker	Dillon	Hays	Miles	Sears
Ball	Doughty	Henderson	Mohring	Siems
Barrett	Dutton	Henry	Murphy	Slater
Bashford	Egan	Hill	O'Connor	Sloane C A
Baum	Ellis	Hoffman	Paris	Sloane J J
Bedell	Fallows	Hutton	Patton	Smith J E
Beede	Fancher	Johnson	Phillips	Snyder
Boland	Farrell	Juengst	Post	Stoneman
Brennan E C	Finn	Kane	Poth	Streifler
Brennan J F	Fish	Kelley E E	Riedman	Sullivan T P
Brown	Fitzgerald	Kelly G T	Rierdon	Sullivan W J
Bryan	Fordyce	Kelsey	Roberts	Ten Eyck
Bulkley	Fowler	Kullman	Roche	Torborg
Burnett	Gale	Lewis M E	Rodenbeck	Trainor
Cain	Gallagher.	Lewis T D	Rogers	Tripp
Clark	Gleason	Litchard	Rowe	Vincent
Collier	Gould	Mangin	Russell	West
Collins	Graham	Martin	Sage H M	Whipple
Cottle	Green	Mason	Sage S B	Wilson
Cotton	Greenwood	Mazet	Sanders	Wingenfeld
Cowles	Grossman	McEwan	Sandford	Wissel
Cross				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 40) entitled "An act in relation to the open-

ing of the highway or avenue known as Prospect avenue, in the former town of Flatbush, Kings county, now a part of The City of New York " (Rec. No. 159), was read the second time.

On motion of Mr. DeGraw, said bill was placed on the order of third reading.

On motion of Mr. DeGraw, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Grossman	McMillan	Sands
Allds	Cross	Guider	Meister	Sawyer
Apgar	Davis	Hallock	Meyer	Schmid F
Axtell	Dean	Hatch	Mohring	Schoeneck
Babcock	De Graw	Hays	Murphy	Sears
Baker	Delaney	Heller	O'Connell	Siems
Ball	Doughty	Henderson	O'Connor	Slater
Barrett	Dutton	Henry	Palmer	Sloane A C
Bashford	Egan	Hill	Patton	Sloane J J
Baum	Evarts	Hitchcock	Phillips	Smith J E
Bedell	Fallows	Hoffman	Pickett	Snyder
Beede	Fancher	Hutton	Post	Sprague
Boland	Farrell	Juengst	Poth	Stoneman
Brennan E C	Finn	Kane	Redington	Streifler
Brennan J F	Fish	Kelley E E	Riedman	Sullivan T P
Brewster	Fitzgerald	Kelly G T	Rierdon	Sullivan W J
Brown	Fordyce	Kelsey	Roberts	Ten Eyck
Bryan	Fowler	Kullman	Roche	Torborg
Bulkley	Gale	Lewis M E	Rodenbeck	Trainor
Cain	Gallagher	Lewis T D	Rogers	Tripp
Clark	Gardiner	Litchard	Rowe	Vincent
Collier	Gleason	Mangin	Russell	West
Collins	Gould	Martin	Sabine	Whipple
Cottle	Graham	Mason	Sage H M	Wingenfeld
Cotton	Green	McEwan	Sage S B	Wissel
Coughtry	Greenwood	McInerney	Sandford	Witter

Ordered, That the Clerk deliver said bill to the Senate, and message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 474) entitled "An act to amend section 213 and section 250 of the Code of Civil Procedure relative to the publication and distribution of reports" (Rec. No. 122), was read the second time.

On motion of Mr. Axtell, said bill was placed on the order of third reading.

The Senate bill (No. 690) entitled "An act to amend section 3253 of the Code of Civil Procedure, relating to additional allowances" (Rec. No. 142), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading.

The Senate bill (No. 1077) entitled "An act to amend the Penal Code to prohibit the use of trading stamps, trading checks and similar gift enterprises" (Rec. No. 231), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on second reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 865) entitled "An act to provide for the publication and distribution of the Fisheries, Game and Forest Law, as amended" (Rec. No. 169), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

The Senate bill (No. 667) entitled "An act to amend the Insanity Law, relating to transfers from State hospitals to Matteawan State Hospital and the cost of maintenance of persons confined in such hospital" (Rec. No. 174), was read the second time.

On motion of Mr. Whipple, said bill was placed on the order of third reading.

The Senate bill (No. 967) entitled "An act to amend section 33 of the Railroad Law, in regard to crossing signs, gates and flagmen, and whistleposts" (Rec. No. 212), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The Senate bill (No. 405) entitled "An act to amend article 5 of the Executive Law, relating to the Attorney-General" (Rec. No. 214), having been announced for a second reading,

On motion of Mr. Palmer, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

The bill (No. 1808) entitled "An act to amend chapter 908 of the Laws of 1896, relating to revision and readjustment of accounts by Comptroller" (Int. No. 973), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
 { NOES 1 }

Those who voted in the affirmative, were

Adler	Cotton	Harburger	Miles	Schoeneck
Alds	Coughtry	Hatch	Mohring	Sears
Apgar	Cross	Hays	Murphy	Sharkey
Axtell	Darrison	Heller	O'Connor	Siems
Babcock	Davis	Henry	Paris	Slater
Baker	Dean	Hill	Patton	Sloane C A
Ball	De Graw	Hitchcock	Phillips	Sloane J J
Barrett	Delaney	Hoffman	Pickett	Smith J T
Bashford	Doughty	Johnson	Post	Snyder
Baum	Egan	Juengst	Poth	Sprague
Bedell	Ellis	Kane	Riedman	Stoneman
Beede	Evarts	Kelly G T	Rierdon	Sullivan T P
Boland	Fancher	Kelsey	Roberts	Sullivan W J
Brennan E C	Farrell	Kullman	Rodenbeck	Ten Eyck
Brennan J F	Fish	Lewis M E	Rogers	Thorn
Brewster	Fitzgerald	Lewis T D	Rowe	Trainor
Brown	Fowler	Litchard	Russell	Tripp

Bryan	Gale	Mangin	Sabine	Vincent
Bulkley	Gallagher	Mason	Sage H M	Ware
Burnett	Gardiner	Mazet	Sage S B	West
Cain	Gleason	McEwan	Sanders	Whipple
Clark	Gould	McInerney	Sands	Wilson
Collins	Green	McKeown	Sawyer	Wingenfeld
Costello	Greenwood	Meister	Schmid A F	Wissel
Cottle	Guider	Meyer	Schmid F	

In the negative,

Palmer

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 328, Assembly reprint No. 1950) entitled "An act to authorize the board of supervisors in any county where proceedings have been instituted under the provisions of chapter 493 of the Laws of 1892, entitled 'An act to provide for the construction of highways and bridges upon highways running through two or more towns of the same county,' to investigate the affairs and conduct of commissioners appointed under said act" (Rec. No. 128), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McInerney	Sandford
Allds	Cowles	Green	McKeown	Sawyer
Apgar	Cross	Greenwood	McMillan	Schmid A F
Axtell	Darrison	Grossman	Meister	Schoeneck
Babcock	Davis	Hallock	Miles	Sears
Baker	Dean	Harburger	Mohring	Siems
Ball	De Graw	Hatch	Murphy	Slater
Barrett	Delaney	Heller	O'Connor	Sloane C A
Bashford	Dillon	Henderson	Palmer	Sloane J J
Baum	Doughty	Hill	Patton	Smith J E

Bedell	Dutton	Hoffman	Phillips	Snyder
Beede	Egan	Hutton	Pickett	Sprague
Boland	Ellis	Johnson	Post	Stoneman
Brennan E C	Evarts	Juengst	Redington	Streifler
Brennan J F	Fallows	Kelley E E	Riedman	Sullivan T P
Brewster	Fancher	Kelly G T	Rierdon	Sullivan W J
Brown	Farrell	Kelsey	Roberts	Ten Eyck
Bryan	Finn	Kullman	Roche	Torborg
Bulkley	Fish	Lewis M E	Rodenbeck	Tripp
Cain	Fordyce	Lewis T D	Rogers	Vincent
Clark	Fowler	Litchard	Rowe	Ware
Collier	Gale	Mangin	Sabine	West
Collins	Gallagher	Martin	Sage H M	Wilson
Costello	Gardiner	Mason	Sage S B	Wingenfeld
Cottle	Gleason	Mazet	Sanders	Witter
Cotton	Gould	McEwan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1959) entitled "An act to amend chapter 376 of the Laws of 1896, entitled 'An act relating to Domestic Commerce Law, constituting chapter 34 of the general laws,' in relation to auctions and auctioneers" (Int. No. 213), having been announced for a third reading,

Mr. Mazet moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 7, section 56, line 10, after the word "misdemeanor" insert the following words "Provided, however, that the foregoing provisions of this section shall not apply to sales of stocks or bonds, bills of exchange, policies of insurance, or accounts, where such sales are held at the place where sales of real estate under judgments or orders of the supreme court can legally be made."

Page 7, line 21, strike out the words "is hereby declared to" and insert the words "shall upon conviction thereof."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Mazet, and it was decided in the affirmative.

Mr. Kelsey, from the committee on the judiciary, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

The bill (No. 1960) entitled "An act to amend chapter 588 of the laws of 1898, entitled 'An act to erect the county of Nassau from the territory now comprised within the limits of the towns of Oyster Bay, North Hempstead and Hempstead, in the county of Queens,' relating to the apportionment of the personal property of the county of Queens" (Int. No. 1371), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 125 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Green	McMillan	Sawyer
Allds	Coughtry	Greenwood	Meister	Schmid A F
Axtell	Cowles	Grossman	Miles	Schmid F
Babcock	Cross	Guider	Mohring	Schoeneck
Baker	Darrison	Harburger	Murphy	Sharkey
Ball	Davis	Hays	O'Connell	Siems
Barrett	Dean	Heller	Palmer	Slater
Bashford	Delaney	Henry	Paris	Sloane C A
Baum	Dillon	Hill	Patton	Smith J E
Bedell	Doughty	Hitchcock	Pickett	Smith J T
Beede	Dutton	Hoffman	Post	Sprague
Boland	Egan	Johnson	Redington	Stoneman
Brennan E C	Evarts	Juengst	Riedman	Sullivan T P
Brennan J F	Fallows	Kelley E E	Rierdon	Ten Eyck
Brewster	Fancher	Kelsey	Roberts	Torborg
Brown	Finn	Kullman	Roche	Trainor
Bryan	Fish	Lewis M E	Rodenbeck	Tripp
Bulkley	Fitzgerald	Lewis T D	Rogers	Vincent
Burnett	Fordyce	Litchard	Rowe	Ware
Cain	Gale	Mangin	Russell	West
Clark	Gallagher	Martin	Sage H M	Whipple
Collier	Gardiner	Mason	Sage S B	Wilson
Collins	Gleason	Mazet	Sanders	Wingenfeld
Costello	Gould	McEwan	Sandford	Wissel
Cottle	Graham	McInerney	Sands	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 847, Assembly reprint No. 1949) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Reh-winkle, a fireman of the first grade, for reinstatement in said department" (Rec. No. 196), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Meister	Sandford
Allds	Davis	Hamburger	Miles	Sands
Apgar	Dean	Hays	Mohring	Sawyer
Axtell	Delaney	Heller	Murphy	Schmid F
Babcock	Dillon	Henderson	O'Connell	Schoeneck
Baker	Doughty	Henry	O'Connor	Sears
Ball	Dutton	Hill	Palmer	Siems
Barrett	Egan	Hitchcock	Paris	Slater
Bashford	Ellis	Hutton	Patton	Sloane C A
Baum	Evarts	Johnson	Phillips	Sloane J J
Bedell	Fallows	Juengst	Pickett	Smith J T
Beede	Fancher	Kane	Post	Snyder
Boland	Farrell	Kelly G T	Poth	Sprague
Brennan E C	Finn	Kelsey	Redington	Stoneman
Brewster	Fish	Kuhlman	Rierdon	Streifler
Brown	Fordyce	Lewis M E	Riedman	Sullivan W J
Bulkley	Fowler	Lewis T D	Roberts	Ten Eyck
Burnett	Gale	Litchard	Roche	Thorn
Cain	Gallagher	Mangin	Rodenbeck	Torborg
Clark	Gardiner	Martin	Rogers	Trainor
Collier	Gleason	Mason	Rowe	Tripp
Costello	Gould	Mazet	Russell	Ware
Cottle	Graham	McEwan	Sabine	Whipple
Cotton	Greenwood	McInerney	Sage H M	Wilson
Cowles	Grossman	McKeown	Sage S B	Wingenfeld
Cross	Guider	McMillan	Sanders	Witter

Ordered, That the Clerk return said bill to the Senate with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1953) entitled "An act to amend chapter 108 of the laws of 1891, entitled 'An act to make the office of sheriff of Erie county a salaried office, in part, and regulating the management of said office,' relative to the compensation of said sheriff, his under-sheriff and deputies, and the management of said office" (Int. No. 994), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	Meyer	Schmid F
Allds	Cross	Hatch	Miles	Schoeneck
Apgar	Darrison	Hays	Mohring	Sears
Axtell	Davis	Heller	Murphy	Sharkey
Babcock	Dean	Henderson	O'Connor	Siems
Baker	De Graw	Henry	Palmer	Slater
Ball	Delaney	Hill	Paris	Sloane J J
Barrett	Dillon	Hitchcock	Patton	Smith J E
Bashford	Doughty	Hoffman	Pickett	Smith J T
Baum	Dutton	Hutton	Post	Snyder
Bedell	Egan	Johnson	Redington	Sprague
Beede	Ellis	Juengst	Riedman	Streifler
Boland	Evarts	Kelley E E	Rierdon	Sullivan T P
Brennan E C	Fallows	Kelly G T	Roberts	Sullivan W J
Brennan J F	Fancher	Kelsey	Roche	Ten Eyck
Brewster	Farrell	Kullman	Rodenbeck	Thorn
Brown	Finn	Lewis M E	Rogers	Torborg
Bryan	Fish	Lewis T D	Rowe	Trainor
Bulkley	Fordyce	Litchard	Russell	Tripp
Burnett	Fowler	Mangin	Sabine	Vincent
Cain	Gallagher	Martin	Sage H M	Ware
Clark	Gardiner	Mason	Sage S B	West
Collier	Gould	Mazet	Sanders	Whipple

Collins	Graham	McEwan	Sandford	Wilson
Costello	Greenwood	McInerney	Sawyer	Wingenfeld
Cotton	Grossman	McKeown	Schmid A F	Wissel
Coughtry	Guider	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1951) entitled "An act to amend the Tax Law, relating to exemptions from taxation of certain mortgages on real estate" (Int. No. 375), having been announced for a third reading,

On motion of Mr. Martin, and by unanimous consent, said bill was made a special order on third reading for Wednesday next immediately after the reading of the journal.

The bill (No. 1817) entitled "An act to legalize the acts of C. Allington Dains, a notary public" (Int. No. 1374), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Sawyer
Allds	Cross	Harburger	Meyer	Schmid A F
Apgar	Davis	Hatch	Miles	Schmid F
Axtell	Dean	Hays	Mohring	Schoeneck
Babcock	De Graw	Heller	Murphy	Sharkey
Baker	Delaney	Henry	O'Connor	Siems
Ball	Dillon	Hill	Palmer	Sloane C A
Barrett	Dutton	Hitchcock	Paris	Sloane J J
Bashford	Egan	Hoffman	Patton	Smith J E
Baum	Ellis	Hutton	Phillips	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan T P
Brown	Fish	Kullman	Roberts	Sullivan W J

Bryan	Fitzgerald	Lewis M E	Roche	Ten Eyck
Bulkley	Fordyce	Lewis T D	Rodenbeck	Thorn
Burnett	Fowler	Litchard	Rogers	Torborg
Cain	Gale	Mangin	Rowe	Trainor
Clark	Gardiner	Martin	Russell	Tripp
Collier	Gleason	Mason	Sabine	Ware
Collins	Gould	Mazet	Sage H M	West
Costello	Graham	McEwan	Sage S B	Wilson
Cottle	Green	McInerney	Sandford	Wingenfeld
Cotton	Greenwood	McKeown	Sands	Witter
Coughtry	Grossman	McMillan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 225, Assembly reprint No. 1952) entitled "An act to amend chapter 599 of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company,' relative to the capital stock of, and reports by said corporation, and subjecting said corporation to the inspection, examination and control of the banking department" (Rec. No. 26), having been announced for a third reading.

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1904) entitled "An act to amend chapter 396 of the Laws of 1885, entitled 'An act to revise the charter of the city of Dunkirk,' in relation to the compensation of policemen" (Int. No. 1428), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Harburger	McMillan	Schmid F
Allds	De Graw	Hatch	Meister	Schoeneck
Apgar	Delaney	Hays	Meyer	Sears

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Axtell	Dillon	Heller	Mohring	Siems
Babcock	Doughty	Henderson	Murphy	Slater
Baker	Dutton	Henry	O'Connell	Sloane C A
Ball	Egan	Hill	O'Connor	Sloane J J
Barrett	Evarts	Hitchcock	Palmer	Smith J E
Baum	Fallows	Hoffman	Paris	Snyder
Beede	Fancher	Johnson	Phillips	Sprague
Boland	Farrell	Juengst	Pickett	Stoneman
Brennan J F	Finn	Kane	Poth	Streifler
Brewster	Fish	Kelley E E	Redington	Sullivan T P
Bryan	Fitzgerald	Kelly G T	Rierdon	Sullivan W J
Bulkley	Fordyce	Kelsey	Roberts	Ten Eyck
Burnett	Fowler	Kullman	Roche	Thorn
Clark	Gale	Lewis M E	Rodenbeck	Torborg
Collier	Gallagher	Lewis T D	Rogers	Tripp
Collins	Gardiner	Litchard	Rowe	Vincent
Costello	Gleason	Mangin	Sabine	Ware
Cottle	Gould	Martin	Sage H M	Whipple
Cotton	Graham	Mason	Sage S B	Wilson
Coughtry	Greenwood	Mazet	Sandford	Wingenfeld
Cowles	Grossman	McEwan	Sands	Wissel
Darrison	Guider	McInerney	Sawyer	Witter
Davis				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1956) entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and school-houses" (Int. No. 718), having been announced for a third reading.

On motion of Mr. Collier, and by unanimous consent, said bill was made a special order on third reading for Monday next immediately after the reading of the journal.

The bill (No. 1898) entitled "An act to define the liberties of the jail in and for the county of Queens" (Int. No. 1422), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Gleason	Litchard	Sage H M
Allds	Cotton	Gould	Mangin	Sanders
Apgar	Coughtry	Graham	Martin	Sandford
Axtell	Cowles	Green	Mason	Sawyer
Babcock	Cross	Greenwood	Mazet	Schmid A F
Baker	Davis	Grossman	McEwan	Schmid F
Ball	Dean	Guider	McInerney	Sears
Barrett	De Graw	Hallock	McMillan	Sharkey
Bashford	Delaney	Harburger	Meister	Slater
Baum	Dillon	Hatch	Meyer	Sloane C A
Bedell	Dutton	Hays	Miles	Smith J E
Beede	Egan	Heller	Mohring	Snyder
Boland	Ellis	Henderson	O'Connell	Streifler
Brennan E C	Evarts	Henry	O'Connor	Sullivan W J
Brennan J F	Fallows	Hill	Palmer	Ten Eyck
Brewster	Fancher	Hitchcock	Patton	Thorn
Brown	Farrell	Hutton	Pickett	Trainor
Bryan	Finn	Johnson	Post	Tripp
Bulkley	Fish	Juengst	Poth	Ware
Burnett	Fitzgerald	Kelley E E	Riedman	West
Cain	Fordyce	Kelly G T	Roberts	Whipple
Clark	Fowler	Kelsey	Roche	Wilson
Collier	Gale	Kullman	Rogers	Wissel
Collins	Gallagher	Lewis M E	Rowe	Witter
Costello	Gardiner	Lewis T D	Sabine	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1948) entitled "An act to regulate the publication of the general and local laws passed by the legislature of this State, and other State printing, in the county of Schuyler" (Int. No. 1352), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Mazet	Sabine
Allds	Cross	Grossman	McEwan	Sage S B
Apgar	Darrison	Guider	McKeown	Sanders
Axtell	Davis	Hallock	McMillan	Sands
Babcock	Dean	Hatch	Meister	Schmid A F
Baker	De Graw	Hays	Miles	Schmid F
Ball	Delaney	Heller	Mohring	Sears
Barrett	Dillon	Henderson	Murphy	Sharkey
Bashford	Doughty	Henry	O'Connell	Slater
Baum	Dutton	Hill	O'Connor	Sloane J J
Beede	Ellis	Hoffman	Palmer	Smith J T
Boland	Evarts	Hutton	Patton	Sprague
Brennan E C	Fallows	Johnson	Phillips	Streifler
Brewster	Farrell	Juengst	Pickett	Sullivan W J
Brown	Finn	Kane	Post	Thorn
Bryan	Fish	Kelley E E	Poth	Torborg
Bulkley	Fitzgerald	Kelsey	Redington	Trainor
Cain	Fowler	Kullman	Riedman	Tripp
Clark	Gallagher	Lewis M E	Rierdon	Ware
Collier	Gardiner	Lewis T D	Roberts	West
Costello	Gleason	Litchard	Roche	Whipple
Cottle	Gould	Mangin	Rodenbeck	Wilson
Cotton	Graham	Martin	Rowe	Wingenfeld
Coughtry	Green	Mason	Russell	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1961) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York, in and to certain real estate in the town of Bleecker, Fulton county" (Int. No. 1018), having been announced for a third reading,

On motion of Mr. Hays, said bill was laid aside, retaining its place on the order of third reading.

The bill (No. 1946) entitled "An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings" (Int. No. 1316), having been announced for a third reading,

On motion of Mr. Fallows, and by unanimous consent, said bill

was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1947) entitled "An act for the protection of creditors of a decedent" (Int. No. 1317), having been announced for a third reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1954) entitled "An act relating to attendants upon the Supreme Court and county court, in and for the county of Monroe" (Int. No. 933), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 127 }
} NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Meister	Schmid A F
Allds	Davis	Hays	Meyer	Schmid F
Apgar	Dean	Heller	Miles	Schoeneck
Axtell	De Graw	Henderson	Mohring	Sharkey
Babcock	Dillon	Henry	Murphy	Siems
Baker	Doughty	Hill	O'Connor	Sloane C A
Ball	Dutton	Hitchcock	Palmer	Sloane J J
Barrett	Egan	Hoffman	Patton	Smith J E
Baum	Ellis	Johnson	Phillips	Smith J T
Bedell	Evarts	Juengst	Post	Sprague
Beede	Fancher	Kane	Poth	Stoneman
Boland	Farrell	Kelly G T	Redington	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan W J
Brewster	Fish	Kullman	Roberts	Ten Eyck
Brown	Fitzgerald	Lewis M E	Roche	Thorn
Bryan	Fordyce	Lewis T D	Rodenbeck	Torborg
Burnett	Gale	Litchard	Rogers	Trainor
Cain	Gallagher	Mangin	Rowe	Tripp
Clark	Gardiner	Martin	Russell	Vincent
Collier	Gould	Mason	Sage H M	Ware

Costello	Graham	Mazet	Sage S B	West
Cottle	Green	McEwan	Sanders	Wilson
Cotton	Greenwood	McInerney	Sandford	Wingenfeld
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Guider	McMillan	Sawyer	Witter
Cross	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1955) entitled "An act to amend section 23 of the Public Officers Law, relating to removals by Governor" (Int. No. 1257), having been announced for a third reading,

On motion of Mr. Darrison, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1957) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in certain counties" (Int. No. 1259), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Delaney	Hays	Mohring	Schmid A F
Allds	Dillon	Heller	Murphy	Schmid F
Apgar	Doughty	Henderson	O'Connell	Schoeneck
Babcock	Dutton	Henry	O'Connor	Sharkey
Baker	Egan	Hill	Palmer	Siems
Ball	Ellis	Hitchcock	Paris	Slater
Barrett	Evarts	Hoffman	Phillips	Sloane C A
Bashford	Fallows	Johnson	Pickett	Sloane J J
Baum	Fancher	Juengst	Post	Smith J E
Beede	Farrell	Kane	Poth	Smith J T
Brennan J F	Fish	Kelley E E	Redington	Snyder
Brown	Fitzgerald	Kelsey	Riedman	Sprague
Bryan	Fowler	Kullman	Rierdon	Stoneman

Burnett	Gale	Lewis M E	Roberts	Streifler
Cain	Gallagher	Lewis T D	Roche	Sullivan T P
Clark	Gardiner	Litchard	Rodenbeck	Sullivan W J
Collins	Gleason	Mangin	Rogers	Ten Eyck
Costello	Gould	Martin	Rowe	Torborg
Cottle	Graham	Mason	Russell	Trainor
Coughtry	Green	Mazet	Sabine	Tripp
Cowles	Greenwood	McEwan	Sage H M	Ware
Cross	Grossman	McInerney	Sage S B	West
Darrison	Guider	McKeown	Sanders	Wilson
Davis	Hallock	McMillan	Sandford	Wingenfeld
Dean	Harburger	Meister	Sands	Wissel
De Graw	Hatch	Meyer	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1963) entitled "An act to exempt from county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital'" (Int. No. 1367), having been announced for a third reading,

On motion of Mr. Kelsey, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

The Senate bill (No. 429) entitled "An act to legalize the official acts of the assessors of the village of South Nyack" (Rec. No. 173), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 117 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Harburger	McInerney	Sandford
Allds	Darrison	Hatch	McMillan	Sands
Apgar	Dean	Hays	Meister	Sawyer
Axtell	De Graw	Heller	Meyer	Schmid F
Babcock	Delaney	Henderson	Mohring	Schoeneck

Baker	Doughty	Henry	Murphy	Sears
Ball	Dutton	Hill	O'Connell	Slater
Bashford	Egan	Hitchcock	O'Connor	Sloane C A
Baum	Evarts	Hoffman	Paris	Sloane J J
Bedell	Fancher	Johnson	Patton	Smith J E
Beede	Farrell	Juengst	Phillips	Smith J T
Boland	Finn	Kane	Post	Snyder
Brennan E C	Fitzgerald	Kelley E E	Poth	Sprague
Brewster	Fordyce	Kelsey	Riedman	Streifler
Bryan	Fowler	Kullman	Rierdon	Sullivan T P
Bulkley	Gale	Lewis M E	Roberts	Ten Eyck
Burnett	Gardiner	Lewis T D	Roche	Thorn
Cain	Gleason	Litchard	Rodenbeck	Trainor
Clark	Gould	Mangin	Rogers	Vincent
Collins	Graham	Martin	Russell	West
Costello	Greenwood	Mason	Sabine	Wilson
Cottle	Grossman	Mazet	Sage H M	Wissel
Coughtry	Guider	McEwan	Sage S B	Witter
Cowles	Hallock			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 892) entitled "An act to incorporate the 'Improved Order of Red Men's Home Association of New York'" (Rec. No. 167), having been announced for a third reading,

On motion of Mr. Rogers, and by unanimous consent, said bill was made a special order on third reading for Monday next, immediately after the reading of the journal.

The Senate bill (No. 775) entitled "An act to amend chapter 40 of the Laws of 1888, entitled 'An act to incorporate the city of Hornellsville'" (Rec. No. 194), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hatch	Meyer	Schoeneck
Alds	Darrison	Hays	Miles	Sears
Apgar	Davis	Heller	Morhing	Sharkey
Axtell	Dean	Henderson	O'Connell	Siems
Babcock	Delaney	Henry	O'Connor	Slater
Baker	Dillon	Hill	Palmer	Sloane C A
Ball	Doughty	Hitchcock	Paris	Sloane J J
Bashford	Dutton	Hoffman	Patton	Smith J E
Baum	Ellis	Hutton	Phillips	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Farrell	Kane	Redington	Stoneman
Brennan E C	Finn	Kelly G T	Riedman	Streifler
Brewster	Fitzgerald	Kelsey	Rierdon	Sullivan T P
Brown	Fordyce	Kullman	Roberts	Sullivan W J
Bryan	Fowler	Lewis M E	Roche	Ten Eyck
Bulkley	Gale	Lewis T D	Rodenbeck	Thorn
Burnett	Gardiner	Litchard	Rowe	Torborg
Cain	Gleason	Mangin	Russell	Trainor
Clark	Gould	Martin	Sabine	Tripp
Collier	Graham	Mason	Sage S B	Vincent
Collins	Green	Mazet	Sanders	West
Costello	Grossman	McEwan	Sandford	Whipple
Cottle	Guider	McInerney	Sands	Wingenfeld
Coughtry	Hallock	McMillan	Sawyer	Wissel
Cowles	Harburger	Meister	Schmid F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 951) entitled "An act to amend section 23 of the Public Officers Law; relating to removals by the Governor" (Rec. No. 206), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Heller	Murphy	Sears
Allds	Dean	Henderson	O'Connell	Sharkey
Apgar	Delaney	Henry	O'Connor	Siems
Axtell	Dillon	Hitchcock	Palmer	Slater
Babcock	Doughty	Hoffman	Paris	Sloane C A
Baker	Dutton	Hutton	Phillips	Sloane J J
Ball	Egan	Johnson	Pickett	Smith J E
Bashford	Evarts	Juengst	Post	Smith J T
Baum	Fallows	Kane	Poth	Snyder
Bedell	Fancher	Kelley E E	Riedman	Sprague
Beede	Farrell	Kelly G T	Rierdon	Streifer
Brennan E C	Finn	Kelsey	Roberts	Sullivan T P
Brennan J F	Fish	Kullman	Roche	Sullivan W J
Brewster	Fitzgerald	Lewis M E	Rodenbeck	Ten Eyck
Brown	Fowler	Lewis T D	Rogers	Thorn
Bulkley	Gale	Litchard	Rowe	Torborg
Burnett	Gallagher	Martin	Russell	Trainor
Cain	Gleason	Mason	Sabine	Tripp
Clark	Gould	Mazet	Sage S B	Ware
Collins	Graham	McEwan	Sanders	West
Costello	Greenwood	McInerney	Sardford	Whipple
Cottle	Guider	McKeown	Sands	Wilson
Cotton	Hallock	McMillan	Sawyer	Wingenfeld
Coughtry	Harburger	Meyer	Schmid A F	Wissel
Cross	Hatch	Miles	Schmid F	Witter
Darrison	Hays	Mohring		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Darrison called up the bill (No. 1888) entitled "An act to amend chapter 686, of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relating to ineligibility of county treasurers in the county of Niagara" (Int. No. 1154), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Darrison, said bill was laid aside and ordered stricken from the calendar.

By unanimous consent, Mr. Allds called up the concurrent reso-

lution (No. 1841) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, relating to temporary designations by the Governor of justices to the appellate division" (Int. No. 1328), and moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote upon the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	McMillan	Sanders
Allds	Cross	Greenwood	Meister	Sands
Apgar	Darrison	Grossman	Meyer	Sawyer
Axtell	Davis	Guider	Miles	Schmid A F
Babcock	Dean	Hallock	Mohring	Schmid F
Baker	De Graw	Harburger	Murphy	Schoeneck
Ball	Delaney	Hatch	O'Connell	Sharkey
Barrett	Dillon	Hays	O'Connor	Siems
Bashford	Doughty	Henry	Palmer	Sloane C A
Baum	Dutton	Hill	Paris	Sloane J J
Bedell	Egan	Hitchcock	Patton	Smith J E
Beede	Ellis	Hutton	Phillips	Smith J T
Boland	Evarts	Johnson	Pickett	Snyder
Brennan E C	Fallows	Kane	Post	Sprague
Brennan J F	Fancher	Kelley E E	Poth	Stoneman
Brewster	Farrell	Kelsey	Redington	Sullivan T P
Brown	Finn	Kullman	Riedman	Sullivan W J
Bryan	Fish	Lewis M E	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis T D	Roberts	Thorn
Burnett	Fordyce	Litchard	Roche	Trainor
Cain	Fowler	Mangin	Rodenbeck	Tripp
Clark	Gale	Martin	Rogers	Vincent
Collier	Gallagher	Mason	Rowe	Ware
Collins	Gardiner	Mazet	Russell	Whipple
Costello	Gleason	McEwan	Sabine	Wilson
Cottle	Gould	McInerney	Sage H M	Wingenfeld
Cotton	Graham	McKeown	Sage S B	Witter
Coughtry				

Mr. Allds moved that said bill be recommitted to the committee on the judiciary, with instructions to report the same forthwith amended as follows:

Page 4, line 3, strike out the word "Assembly" and insert the word "Senate."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Kelsey, from the committee on the judiciary, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

Mr. Miles offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on charitable and religious societies be discharged from further consideration of Assembly bill No. 1742, entitled "An act to amend the State Charities Law, in relation to the support of children of inmates of houses of refuge for women" (Int. No. 1334), and that said bill be referred to the committee on ways and means.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the appointment of the following as members of the special committee to investigate the surrogate's office in New York: Messrs. Mazet, Fallows, Costello, McEwan, Wilson, Hoffman and Boland.

Mr. Kelsey from the committee on the judiciary, to which was recommitted the bill introduced by Mr. Henry, Int. No. 1106, entitled "An act to amend chapter 179 of the general laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the enrollment for and holding of primary elections" (No. 1832), reported in favor of the passage of the same, with the following amendments:

Page 2, line 17, strike out the words "until the day succeeding the next official primary day in September," and insert on 17th line after the word "territory," the words "first day of registration thereafter."

Page 4, line 25, after the word "be," insert the words "a third official primary election or."

Page 6, lines 8 to 11. This caption to the enrollment card should have printed in capitals originally and the blanks should have been filled in with dotted lines.

Page 7, lines 24 to 27. Same as last above.

Page 7, line 4, insert instructions as to what the elector should

do when he has the card in the booth. They should be set up in capitals. Insert: "Make a cross (x) mark, with a pencil having black lead, in the circle under the emblem of the party with which you wish to enroll, for the purpose of participating in its primary elections during the next year."

Page 31, line 24 to line 23, page 32, transpose down to page 33, line 2, after the word "convention."

Page 51, line 8, strike out the word "such" and insert "a," and strike out the word "and" and insert the word "or."

Page 52, line 5, strike out the words "other cities and."

Page 52, line 11, after the first word "committee" insert the words "the city committee;" also strike out the word "and" and insert the word "or."

Page 65, line 19, after the word "in" insert the words "either of," and the word "case" should read "cases."

Page 65, line 21, after the word "otherwise" insert a comma.

Page 51, line 5, strike out bracket.

Same page, line 8, strike out bracket.

Same page, strike out all on the page after the word "conventions" in line 8.

Page 52, strike out all of lines 1, 2, 3 and 4.

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Thorn, Int. No. 1443, entitled "An act to amend section 103 of chapter 566 of the Laws of 1890, entitled 'An act in relation to transportation corporations, excepting railroads, constituting chapter 40 of the general laws,' relating to telegrams" (No. 1940), reported in favor of the passage of the same, with the following amendments:

Page 1, line 4, strike out the word "forty" and insert in place thereof the words "five hundred and sixty-six."

Same page, line 6, strike out the word "dispatches" and insert the word "despatches."

Page 2, line 1, strike out the words "and on."

Same page, strike out all of lines 2, 3, 4, 5, 6 and on line 7 the words "tions of such corporations," and on same line after the word "corporations" insert the words "and shall."

Same page, line 9, strike out all after the word "do" and all of line 10.

Same page, line 11, strike out "dred and ninety-eight."

Same page, line 12, strike out the word "or extra charge."

Page 2, line 1, after the word "individual" insert the words "and said company or corporation sending or transmitting said despatch or despatches shall pay any tax imposed on any despatch or message."

Same page, line 9, after the word "do" insert the words "or demands or exacts payment of any tax imposed from the sender or refuses or neglects to send any message or despatch because the sender declines to pay such tax."

Same page, line 17, after the word "order" insert the words "but no telegraph company or corporation, operating lines within this state, shall exact or receive for transmitting and delivering any despatch between places lying wholly within this state, in which such company or corporation has a sending and receiving office, more than the sum of twenty-five cents for the first ten words and one cent for each additional word contained in said despatch, which sum shall include any tax imposed, under the penalty hereinbefore provided."

Amend the title by striking out the word "forty" and insert in its place the words "five hundred and sixty-six."

OTTO KELSEY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Mason, Int. No. 1419, entitled "An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post offices and other government offices in the cities of this State, and ceding jurisdiction over such lands" (No. 1895), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. McCarren, Rec. No. 240, entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices

of the Supreme Court " (No. 1031), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Krum, Rec. No. 211, entitled " An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York " (No. 735), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 168, entitled " An act to release to George W. Tindale, all the right, title and interest in and to the personal property and estate of James J. Falvey " (No. 899), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 258, entitled " An act to amend section 1268 of the Code of Civil Procedure, relating to a discharge of a judgment against a bankrupt discharged from his debts " (No. 927), reported in favor of the passage of the same with the following amendments:

Page 2, line 6, after the word " judgment " at the beginning of said line insert the following: " or the debt upon which such judgment was recovered."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Mackey, Rec. No. 239, entitled " An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication " (No. 799), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Rodenbeck, Int. No. 502, entitled "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 25 of the general laws,' relating to the burial of soldiers, sailors or marines" (No. 529), reported in favor of the passage of the following substitute bill:

AN ACT to amend chapter two hundred and twenty-five of the laws of eighteen hundred and ninety-six, entitled "An act in relation to the poor, constituting chapter twenty-five of the general laws," relating to the burial of soldiers, sailors and marines.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section eighty-three of said chapter twenty-five of the laws of eighteen hundred and ninety-six, is hereby amended so as to read as follows:

§ 83. The board of supervisors in each of the counties shall designate some proper person or authority, other than that designated for the care of poor persons, or the custody of criminals, who shall cause to be interred, the body of any honorably discharged soldier, sailor or marine, who served in the army or navy of the United States during the late war of the rebellion, the last war with Mexico, or the war with Spain, who shall hereafter die without leaving means sufficient to defray his funeral expenses, but such expenses shall in no case exceed thirty-five dollars. If the deceased has relatives or friends who desire to conduct the burial, but are unable or unwilling to pay the charges therefor, such sum shall be paid by the county treasurer upon due proof of the claim, and of the death and burial of the soldier, sailor or marine to the person so conducting such burial. Such interment shall not be made in a cemetery or cemetery plot used exclusively for the burial of poor persons deceased.

§ 2. Section eighty-four of said chapter two hundred and twenty-five of the laws of eighteen hundred and ninety-six, is hereby amended so as to read as follows:

§ 84. The grave of any such deceased soldier, sailor or marine, and any honorably discharged soldier, sailor or marine, who served in the army or navy of the United States during the revolutionary war, or the war of eighteen hundred twelve, whose grave is not now marked by a suitable headstone, and who shall have been buried in any of the counties of this state, and who died without

leaving means to defray the expense of such headstone, shall be marked by a headstone containing the name of the deceased, and, if possible, the organization to which he belonged, or in which he served; such headstone shall cost not more than fifteen dollars, and shall be of such design and material as shall be approved by the board of supervisors, and the expense of such burial and headstone as provided for in this article, shall be a charge upon, and shall be paid by the county in which the said soldier, sailor or marine, was a resident at the time of his death; and the board of supervisors of such county or other board or officer vested with like powers, is hereby authorized and directed to audit the account and pay the expense of such burial and headstone, in the same manner in which the accounts of such officer as shall be charged with the performance of such duty as above provided shall be audited and paid; provided, however, that in case such deceased soldier, sailor or marine shall be or shall have been at the time of his death an inmate of any state institution including state hospitals and soldiers' homes, or any institution supported by the state and supported at public expense therein, the expense of such burials and headstones shall be a charge upon the county of his legal residence.

§ 3. This act shall take effect immediately.

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said substitute bill ordered printed, and placed on the order of second reading.

Mr. Witter, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Mazet, Int. No. 1128, entitled "An act to amend the Transportation Corporation Law, in relation to the inspection of gas meters, and providing for a deputy inspector for the borough of Brooklyn, in the city of New York, the employment of mechanics to assist the inspector of gas meters in his work, and for the payment of office and other expenditures necessary for the performance of the duties imposed by law upon said inspector of gas meters" (No. 1385), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Witter, from the committee on electricity, gas and water supply, to which was referred the bill introduced by Mr. Mazet, Int. No. 1127, entitled "An act to amend chapter 378 of the Laws

of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to inspection and testing of gas meters" (No. 1384), reported in favor of the passage of the same, with the following amendment:

Page 3, strike out lines 16, 17, 18, 19 and 20, and insert in place thereof the following:

§ 576. Sections sixty-two, sixty-three and sixty-four of chapter forty of the general laws, known as the transportation corporations law, shall hereafter apply to the city of New York in so far as they relate to or affect the inspection of gas meters.

D. L. WITTER,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Darrison, Int. No. 1278, entitled "An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda'" (No. 1713), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slater, Int. No. 1076, entitled "An act to amend sections 707, 708, 709 and 710 of the Greater New York charter, being chapter 378 of the Laws of 1897, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy in the city of New York" (No. 1289), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. E. C. Brennan, Int. No. 1272, entitled "An act to provide for the payment of the salaries

of those who have served as janitors of municipal courts in the borough of Brooklyn, in the city of New York" (No. 1672), reported in favor of the passage of the same, with the following amendment:

Page 1, line 4, after the word "ninety" strike out the word "six" and insert in lieu thereof the word "eight."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slater, Int. No. 1440, entitled "An act to amend section 518 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the aqueduct commission" (No. 1937), reported in favor of the passage of the same, with the following amendments:

Page 2, line 17, strike out the word "commission" and insert in lieu thereof the word "commission."

Same page, line 19, strike out the word "of" and insert in lieu thereof the word "at."

Same page, line 21, strike out the word "commission" and insert in lieu thereof the word "commissioners."

Strike out the word "commission" in the last line of the title and insert in lieu thereof the word "commissioners."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Green, Int. No. 1363, entitled "An act to promote and provide for the security of life in hotels" (No. 1796), reported in favor of the passage of the same, with the following amendments:

Page 2, line 18, strike out the word "felony" and insert in lieu thereof the word "misdemeanor."

Same page, beginning with the words "and shall" on line 18 strike out everything up to and including the word "hotel" on line 22.

Same page, line 22, strike out the word "June" and insert in lieu thereof the word "September."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Slater, Int. No. 1373, entitled "An act to incorporate The Industrial and Commercial Exhibition Company of New York, to authorize said company to acquire real estate in the city of New York and to erect thereon a building or buildings, which shall be used for industrial and commercial expositions" (No. 1805), reported in favor of the passage of the same, with the following amendments:

Page 4, line 9, strike out the period after the word "business" and insert the words "incidental to the purposes of said corporation."

Page 5, line 20, strike out the period after the word "business" and insert the words "incidental to the purposes of said corporation."

Page 6, strike out the whole of section 13.

Same page, strike out section 14 and insert section 13.

Page 7, strike out section 15 and insert section 14.

Same page, change "§ 14" to "§ 13" and change the numbers of the remaining sections to correspond.

ROBERT MAZET,

Chairman.

Mr. McKeown moved that said bill be recommitted to the committee on affairs of cities.

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was decided in the negative.

Said report was agreed to, and said bill ordered reprinted as amended.

Mr. Mazet, from the committee on affairs of cities, to which

was referred the Senate bill introduced by Mr. Stranahan, Rec. No. 292, entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (No. 959), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Parsons, Rec. No. 287, entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (No. 916), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Patton, Int. No. 1457, entitled "An act to authorize the town of Grand Island in the county of Erie to raise moneys for the purpose of securing a means of access by bridge from said town across the water of Niagara river to the main land and to issue its bonds therefor" (No. 1977), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Henderson, Int. No. 1251, entitled "An act to amend chapter 687 of the Laws of 1894, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Westchester, and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail of said county,' as amended by chapter 420 of the Laws of 1895, relative to the powers and duties of the sheriff" (No. 1574), reported in favor of the passage of the same,

without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Henderson, and by unanimous consent, said bill was read the second time and ordered to a third reading.

On motion of Mr. Henderson, and by unanimous consent, said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 124 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Hallock	Meister	Sands
Allds	Coughtry	Harburger	Meyer	Sawyer
Apgar	Cross	Hatch	Mohring	Schmid A F
Axtell	Darrison	Hays	Murphy	Schoeneck
Babcock	Davis	Henderson	O'Connell	Sears
Baker	Dean	Henry	O'Connor	Sharkey
Ball	Delaney	Hill	Palmer	Siems
Barrett	Dillon	Hitchcock	Paris	Slater
Bashford	Dutton	Hoffman	Patton	Sloane C A
Baum	Egan	Hutton	Phillips	Smith J E
Bedell	Ellis	Johnson	Post	Smith J T
Beede	Evarts	Juengst	Poth	Snyder
Boland	Fancher	Kelley E E	Redington	Sprague
Brennan E O	Farrell	Kelly G T	Riedman	Streifler
Brennan J F	Finn	Kelsey	Rierdon	Sullivan W J
Brewster	Fitzgerald	Kullman	Roberts	Sullivan T P
Brown	Fordyce	Lewis M E	Roche	Thorn
Bryan	Fowler	Lewis T D	Rodenbeck	Trainor
Bulkley	Gallagher	Litchard	Rogers	Vincent
Burnett	Gardiner	Mangin	Russell	West
Cain	Gleason	Martin	Sabine	Whipple
Clark	Graham	Mason	Sage H M	Wingenfeld
Collier	Green	McEwan	Sage S B	Wissel
Collins	Grossman	McInerney	Sanders	Witter
Cottle	Guider	McMillan	Sandford	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Dean, Int. No. 1432, entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways'" (No. 1929), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

On motion of Mr. Dean, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on revision.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Brown, Int. No. 1383, entitled "An act to amend the Town Law, relating to the powers of town auditors" (No. 1848), reported in favor of the passage of the same, with the following amendment:

Page 2, line 6, after the word "auditors" strike out the word "shall" and insert in lieu thereof the word "may."

W. G. COTTLE,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Thorn, Int. No. 839, entitled "An act to incorporate the High Falls Electrical Company, of High Falls, Ulster county, New York" (No. 946), reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, after the word "creek" insert the words "including and between the villages of High Falls and Warwarsing," also after the word "creek" strike out the words "and its tributaries."

Page 2, line 2, after the word "for" insert the words "public, municipal."

Same page, line 4, after the word "the" insert the words "county of Ulster or any adjoining county in the."

Same page, line 9, after the word "said" insert the words "part of the."

Same page, line 10, after the word "creek" strike out the words "and its tributaries."

Same page line 12, after the word "said" insert the words "part of said."

Same page, line 13, after the word "creek" strike out the words "and along the lines thereof at any and all points."

Same page, line 18, after the word "said" insert the words "part of said," also strike out the letter "s" in the word "creeks" so that it will read "creek."

Same page, line 22, after the word "said" insert the words "part of said."

Page 3, line 1, after the word "creek" strike out the words "and its tributaries."

Same page, line 3, after the word "municipal" insert the word "public."

Same page, line 4, after the word "power" strike out the word "or" and insert the word "and" in place thereof.

Same page, line 10, after the word "New York" insert the words "within the limit aforesaid."

Page 9, line 4, after the word "creek" strike out the words "and its tributaries in the state of New York."

Page 12, line 18, after the word "creek" strike out the words "and its tributaries."

Page 14, line 11, after the word "name" insert the following: "and shall be subject to the provisions of the general corporation law and stock corporation law of the state of New York except as expressly provided in this act."

Same page, line 13, after the word "years" insert the following: "provided, however, that unless the whole amount of the capital stock of said corporation provided for in section three of this act shall be subscribed for and paid into the treasurer of the corporation and the construction of the dams, reservoirs, and other work provided for herein actually commenced within ten years after the passage of this act the corporate rights and franchises of such corporation shall cease."

ROBERT J. FISH,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 215, entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds, etc." (No. 732), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. DeGraw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. Davis, Int. No. 1362, entitled "An act to amend section 4 of chapter 908 of the Laws of 1896 constituting chapter 24 of the general laws relating to taxation, as amended by chapter 371 of the Laws of 1897" (No. 1795), reported the same, with the following amendments, and request that said bill be recommitted to said committee.

Page 1, line 4, after the word "taxation" insert the words "providing for certain exemptions."

Page 3, line 1, after the word "but" insert the word "hereafter."

Same page, line 3, after the word "years" insert the following: "From the date of the acquisition of such property, or if, at the time this act takes effect, such corporation or association shall own property, which is not in actual use, from September first, eighteen hundred and ninety-nine."

Amend the title by inserting after the word "ninety-seven" the words "providing for certain exemptions."

ABRAHAM C. DE GRAW,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. DeGraw, from the committee on taxation and retrenchment, to which was referred the Senate bill introduced by Mr. Johnson, Rec. No. 145, entitled "An act to amend chapter 908 of the Laws of 1896, known as the Tax law, relative to cancellation of tax sales by county treasurers" (No. 887), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Patton, Int. No. 1458, entitled "An act to amend chapter 562 of the Laws of 1890, entitled 'An act to revise the charter of the village of Alden'" (No. 1978), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Henderson, Int. No. 1249,

entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (No. 1572), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. West, Int. No. 1462, entitled "An act to provide for the disposal of the sewage of the village of Saratoga Springs, New York" (No. 1982), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 4, line 26, after the word "report" insert the words "of their proceedings."

Page 5, line 1, strike out the words "of their proceedings," also after the word "and" insert the word "shall."

Same page, line 13, strike out the word "easement" and insert the word "enforcement."

JOHN J. ELLIS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and restored to its place on the order of third reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the bill introduced by Mr. Kelsey, Int. No. 1308, entitled "An act amending chapter 237 of the Laws of 1872 as amended by chapter 178 of the Laws of 1887 amending the charter of the village of Geneseo, New York" (No. 1694), reported in favor of the passage of the same, with the following amendments:

Page 1, line 2, after the word "seventy-two" insert the following: "Entitled an act revising, amending and consolidating the charter of, and the several acts relating to, the village of Geneseo in the county of Livingston, modifying the powers of the corporation, and the duties of its officers."

Page 2, line 7, after the word "act" insert the following: "As amended by chapter one hundred and seventy-eight of the laws of eighteen hundred and eighty-seven."

Same page, line 7, after the word "is" insert the word "hereby."

Same page, line 21, after the word "such" at the end of said line, insert the words "license fee or."

Same page, line 25, after the word "such" insert the words "license fee or."

Page 4, line 23, enclose the word "some" in brackets.

Same page, line 24, strike out the word "place" and insert the word "places."

Page 8, line 19, after the word "is" insert the word "hereby."

Page 9, line 4, after the word "a" insert the words "wilful or persistent."

Same page, line 5, after the word "person" insert the word "so."

Same page, line 23, strike out the word "three" and insert the word "twenty."

Page 10, line 20, strike out all of said line but "§ 4." and insert the following thereafter: "Said chapter is hereby amended by inserting therein three new sections, to be known as section forty-a, forty-b and forty-c and to read as follows."

Same page, line 21, strike out the section mark after the figures "40" and insert the letter "a."

Page 11, line 1, strike out the letter "B" and insert "40b."

Same page, line 16, strike out the letter "C" and insert "40c."

Page 12, line 11, after the word "is" insert the word "hereby."

Same page, line 16, strike out the word "term" and insert the word "time."

Page 14, line 3, after the word "is" insert the word "hereby."

Amend the title so as to read as follows:

AN ACT to amend chapter two hundred and thirty-seven of the laws of eighteen hundred and seventy-two, entitled "An act revising, amending and consolidating the charter of, and the several acts relating to the village of Geneseo in the county of Livingston, modifying the powers of the corporation and the duties of its officers and the acts amendatory thereof and supplemental thereto."

JOHN J. ELLIS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Ellsworth, Rec. No. 235, entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' and the acts amending the same" (No. 952), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Armstrong, Rec. No. 217, entitled "An act to amend chapter 941 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts relating to the charter of the village of Churchville, in the county of Monroe,' in relation to the assessment of taxes" (No. 965), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. Costello, Int. No. 1464, entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws'" (No. 1984), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. Delaney, Int. No. 1329, entitled "An act to amend the Labor Law, relating to the rate of wages to be paid to unskilled laborers on public works" (No. 1737), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. Sabine, Int. No. 1351, entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor,' constituting chapter 32 of the general laws relative to the hours of labor and the prevailing rate of wages" (No. 1773), reported in favor of the passage of the same, with the following amendments:

Page 3, line 7, strike out the period and insert in place thereof a comma, and add the following: "but nothing in this section shall be construed to apply to persons regularly employed in state institutions.

THOMAS M. COSTELLO,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. Egan, Int. No. 1247, entitled "An act to amend the Labor Law, relating to the employment of citizens of the United States on public works" (No. 1570), reported in favor of the passage of the same, with the following amendment:

Page 2, line 19, strike out the words "not complied with" and insert in place thereof the words "willfully and knowingly violated."

THOMAS M. COSTELLO,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was recommitted the bill introduced by Mr. Maher, Int. No. 41, entitled "An act providing for the more effective enforcement of the laws of the State of New York" (No. 418), reported in favor of the passage of the same with the following amendments:

Page 1, after line 2, add the word "and."

Same page, line 3, after the word "Kings" strike out remainder of the line and insert the word "counties."

Page 2, line 8, strike out the word "in."

Same page, strike out line 9.

Same page, strike out line 10.

Same page, line 11, strike out words "twelve hundred dollars per year."

Same page, line 24, after the word "corrected" strike out remainder of line.

Same page, strike out line 25.

Same page, line 26, strike out the words "the violation of what are known as labor laws."

THOMAS M. COSTELLO,
Chairman.

Which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Costello, from the committee on labor and industries, to which was referred the bill introduced by Mr. W. J. Sullivan, Int. No. 1377, entitled "An act to amend an act entitled 'An act in relation to labor constituting chapter 32 of the general laws'" (No. 1820), retaining its place on the order of third reading, reported in favor of the passage of the same without amendment, which report was agreed to, and said bill ordered restored to its

place on the order of third reading, and referred to the committee on revision.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Ten Eyck, (Int. No. 1490) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur F. Barker against the State of New York for compensation to which it is alleged said claimant is entitled for services rendered and performed for and on behalf of the State of New York and to render judgment therefor" (No. 2030), reported in favor of the passage of the same without amendement, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Hays, Int. No. 1361, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county against the State on account of illegal cancellation of land sales for taxes" (No. 1794), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. DeGraw, Int. No. 991, entitled "An act to credit and pay to the people of the several counties of the State the moneys received from the United States pursuant to an act of Congress, approved March 2, 1891, entitled 'An act to credit and pay to the several States and territories and the District of Columbia, all moneys collected under the direct tax levied by the Congress, approved August 5, 1861'" (No. 1155), reported in favor of the passage of the same without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Pickett, Int. No. 351, entitled "An act authorizing the Court of Claims to hear, audit and determine the alleged claim of Thomas Cullivan for the reward offered by the agent and warden of Clinton prison for capturing Henry F. Hardy, an escaped convict" (No. 361), reported in favor of the passage of the same, with the following amendment:

Page, 2, strike out section 2 and insert the following:

§ 2. No award shall be made or judgment rendered therein

against the state unless the facts proved shall make out a case against the state, which would create a liability, were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimants for such sums as shall be just and equitable, notwithstanding the lapse of time since the accruing of the claims for said services; provided the claims hereunder are filed with the court of claims within one year after the passage of this act.

JOHN E. MASON,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Dutton, Int. No. 1417, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Norman Tryon and other alleged employes of the State, upon public works, for unpaid balances alleged to be due for services rendered within the last six years, and to render judgment therefor" (No. 1881), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Wissell, Int. No. 1310, entitled "An act conferring jurisdiction upon and authorizing the Court of Claims to hear, audit and determine the claim of John B. Woodruff against the State of New York and make an award therefor" (No. 1696), reported in favor of the passage of the following substitute bill:

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the alleged claim of John B. Woodruff against the state for damages alleged to have been committed by him, and to render judgment therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine the alleged claim of John B.

Woodruff of the First ward of the borough of Queens in the city of New York, Queens county, New York, against the state for damages alleged to have been sustained by him by reason of an alleged injury to his person namely: the breaking of both bones of his right leg just above the ankle, received November, eighteen hundred and ninety-five, while confined in the Elmira state reformatory, and employed therein in the mill room thereof, caused by the sudden and unexpected revolution of one of said mills and due to the sole alleged negligence of the state, its agents, servants and employees who had charge of this claimant, and to make an award and render judgment therefor against the state and in favor of said claimant.

§ 2. No ward shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability, were the same established in evidence in a court of law or equity against an individual corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the accruing of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act.

§ 3. This act shall take effect immediately.

JOHN E. MASON,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Gardiner, Int. No. 586, entitled "An act to amend the Fisheries, Game and Forest Law, relative to fishing for, catching or killing black bass, Oswego bass, pickerel, pike or wall-eyed pike: Close season" (No. 626), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1455, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to taking deleterious fish from public waters" (No. 1975), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Hitchcock, Int. No. 1049, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fishing in certain streams in Warren county" (No. 1238), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the bill introduced by Mr. Brown, Int. No. 276, entitled "An act amending the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to certain fish that may be caught through the ice in lakes and waters named" (No. 296), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, after the word "Sullivan" insert the word "Monroe."

Same page, line 15, after the word "Chenango" insert the word "Monroe."

DELOS AXTELL,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 121), entitled "An act to amend the Fisheries, Game and Forest Law relating to unlawful devices and explosives for the taking of fish" (No. 284), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the bill introduced by Mr. O'Connell, Int. No. 741, entitled "An act to amend the State Charities Law by providing that a member of the State Board of Charities shall be a representative labor man" (No. 806), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the words "whenever a vacancy shall occur in such board," also strike out all of lines 6 and 7, and in line 8 strike out the words "sentative labor man" and insert after the word "countries" in line 5 the words "Upon the next

vacancy occurring in such board in filling same the preference shall be given to a representative labor man, and therefore whenever practicable there shall always be on such board a representative labor man."

IRA C. MILES,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to provide for the construction of a vertical retaining wall on the east side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Cedar street to the bridge over said feeder opposite the easterly end of Stone street in said village, and reappropriating therefor certain moneys appropriated by chapter 633 of the Laws of 1898." (No. 1969, Int. No. 1453.)

"An act to amend the Indian Law, in relation to the sale of gypsum on Tonawanda reservation." (No. 1930, Int. No. 1433.)

"An act to amend the Agricultural Law, regulating the sale and analysis of concentrated feeding stuffs." (No. 1893, Int. No. 1206.)

"An act to amend chapter 53 of the Laws of 1893, entitled 'An act further to amend chapter 278 of the Laws of 1881, entitled An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse, and to change the name of such corporation.' " (No. 1836, Int. No. 118.)

"An act in relation to certain property of the Jewish Theological Seminary Association." (No. 1879, Int. No. 1415.)

"An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products." (No. 1917, Int. No. 1195.)

"An act making an appropriation for constructing a tile drain on the north side of the Erie canal, in the eastern part of the village of Frankfort, in the county of Herkimer." (No. 1890, Int. No. 346.)

"An act to amend the State Charities Law, in relation to the powers of the State Board of Charities." (No. 1914, Int. No. 1031.)

"An act to amend chapter 672 of the Laws of 1898 in relation to expenditures for the National Guard and Naval Militia." (No. 1894, Int. No. 116.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to salt water striped bass. (No. 1891, Int. No. 417.)

"An act to amend the Greater New York Charter, in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes." (No. 1916, Int. No. 1286.)

"An act to authorize the Jamestown Co-operative Supply Company to issue non-transferable stock." (No. 1902, Int. No. 1426.)

"An act to legalize the election of three assessors for a full term of two years each at the town meeting held in the town of Florence, in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890." (No. 1874, Int. No. 1410.)

"An act making an appropriation for rebuilding the existing bridge over the Erie canal at Chapel street in the city of Lockport." (No. 1889, Int. No. 129.)

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof." (No. 1838, Int. No. 29.)

"An act to amend the Code of Civil Procedure relating to practice by the father or son of a surrogate in that Surrogates' Court." (No. 1920, Int. No. 1321.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1924) entitled "An act to amend the Code of Civil Procedure relating to references in surrogates' courts" (Int. No. 1326), reported the same with the following recommendations:

Page 1, line 8, after the word "questions" insert a comma.

Page 2, line 1, after the word "report" strike out the word "thereupon" and insert the word "thereon."

Same page, line 5, after the word "court" insert a comma.

Same page, line 7, after the word "reference" insert a comma.
Same page, line 15, after the word "him" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1926) entitled "An act to amend section 914, 915, 919 and 920 and to repeal sections 917 and 918 of the Code of Civil Procedure, relating to depositions taken within the State for use without the State" (Int. No. 836), reported the same with the following recommendations:

Amend the title by adding the letter "s" to the word "section" in first line.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1983) entitled "An act to incorporate 'The Oswego Masonic Temple Association of the city of Oswego, New York'" (Int. No. 1463), reported the same with the following recommendations:

Page 7, line 14, strike out the words "This act shall take effect immediately, and;" also capitalize the word "all."

Same page, line 15, strike out the word "therewith" and insert the words "with the provisions of this act."

Same page, after line 15, add a new section to read as follows:
"§ 12. This act shall take effect immediately."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1129) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, includ-

ing the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond, and part of the county of Queens, and to provide for the government thereof' " (Int. No. 965), reported the same with the following recommendations:

Amend the title so as to read as follows:

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to the appointment of a president of the board of health."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1931) entitled "An act to legalize the appropriation of \$14,000, made by a majority of the electors of the town of Carlton, Orleans county, New York, at the last annual town meeting in said town on March 14, 1899" (Int. No. 1434), reported the same with the following recommendations:

Page 1, line 2, strike out the word "New York."

Page 2, line 6, strike out the word "apporpriation," and insert the word "appropriation."

Amend the title by striking out the word "New York" in the third line.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1854) entitled "An act to amend chapter 117 of the Laws of 1888, entitled 'An act to incorporate Post James M. Brown Memorial Hall Association, and to create a trust for the disposition of its funds and property'" (Int. No. 1390), reported the same with the following recommendations:

Amend the title so as to read as follows:

"An act to amend chapter one hundred and seventeen of the

laws of eighteen hundred and eighty-eight, entitled 'An act to incorporate Post James M. Brown Memorial Hall Association, and to create a trust for the disposition of its funds and property,' relative to the use of the funds of the said association."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1875) entitled "An act to amend the Highway Law, in relation to the adoption of the money system" (Int. No. 1411), reported the same with the following recommendation:

Page 1, line 8, strike out the word "a."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1922) entitled "An act to amend the code of Civil Procedure, relating to application for ancillary letters" (Int. No. 1323), reported the same with the following recommendations:

Page 1, line 7, after the word "ascertain" insert a comma.

Same page, line 8, after the word "creditors" insert a comma and the words "or persons claiming to be creditors."

Page 2, line 2, strike out the word "shall" and insert the word "may."

Same page, line 6, after the word "ascertain" insert a comma.

Same page, line 7, after the word "creditors" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1923) entitled "An act to amend the Code of Civil Procedure, relating to service of citation by publication" (Int. No. 1325), reported the same with the following recommendations:

Page 1, line 3, after the word "order" insert a comma, and strike out the word "services" and insert the word "service."

Page 2, line 6, after the word "state" insert a comma.

Same page, line 8, after the word "sojourning" strike out comma and insert a semicolon.

Same page, line 19, before the word "or" strike out comma and insert a semicolon.

Same page, line 20, strike out dash and insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1919) entitled "An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers" (Int. No. 1320), reported the same, with the following recommendations:

Page 1, line 5, after the word "sum" insert a comma.

Same page, line 6, after the word "day" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1845) entitled "An act regulating the right of suffrage upon questions of municipal improvements" (Int. No. 442), reported the same, with the following recommendations:

Page 1, line 7, strike out the word "First" and insert the figure "1."

Page 2, line 1, strike out the word "second" and insert the figure "2."

Same page, line 9, strike out the word "four" and insert the word "five."

Also amend the title so as to read as follows: "An act to amend the village law, relating to regulating the right of suffrage upon questions of municipal improvements."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1918) entitled "An act to amend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York" (Int. No. 1319), reported the same, with the following recommendation:

Page 2, line 20, after the word "appraisers" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1862) entitled "An act to amend section 2 of chapter 560 of the Laws of 1853, entitled 'An act to incorporate the trustees of the fund for aged and infirm clergymen of the Protestant Episcopal Church in the diocese of New York,' passed July 18, 1853, as amended by chapter 15 of the Laws of 1887, passed February 16, 1897" (Int. No. 1398), reported the same, with the following recommendations:

Page 2, line 11, after the word "provided" insert a comma.

Same page, line 12, after the word "acquired" insert a comma.

Also amend the title so as to read as follows: "An act to amend chapter five hundred and sixty of the laws of eighteen hundred and fifty-three, entitled 'An act to incorporate the trustees of the fund for the aged and infirm clergymen of the Protestant Episcopal Church in the diocese of New York,' relative to the objects of said corporation."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend chapter 53 of the Laws of 1893, entitled 'An act further to amend chapter 278 of the Laws of 1881, entitled An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse, and to change the name of such corporation.' " (No. 1836, Rec. No. 118.)

"An act to amend the Agricultural Law, regulating the sale

and analysis of concentrated feeding stuffs." (No. 1893, Int. No. 1206.)

"An act in relation to certain property of the Jewish Theological Seminary Association." (No. 1879, Int. No. 1415.)

"An act to amend the Indian Law, in relation to the sale of gypsum on Tonawanda reservation." (No. 1930, Int. No. 1433.)

"An act to amend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York." (No. 1918, Int. No. 1319.)

"An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers." (No. 1919, Int. No. 1320.)

"An act to amend the Highway Law, in relation to the adoption of the money system." (No. 1875, Int. No. 1411.)

"An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to salt water striped bass." (No. 1891, Int. No. 417.)

"An act to amend chapter 672 of the Laws of 1898 in relation to expenditures for the National Guard and Naval Militia." (No. 1894, Rec. No. 116.)

"An act making an appropriation for constructing a tile drain on the north side of the Erie canal, in the eastern part of the village of Frankfort, in the county of Herkimer." (No. 1890, Int. No. 346.)

"An act to amend the State Charities Law, in relation to the powers of the State Board of Charities." (No. 1914, Int. No. 1031.)

"An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products." (No. 1917, Int. No. 1195.)

"An act to amend the Code of Civil Procedure, relating to practice by the father or son of a surrogate in that Surrogates' Court." (No. 1920, Int. No. 1321.)

"An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof." (No. 1838, Rec. No. 29.)

"An act making an appropriation for rebuilding the existing
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bridge over the Erie canal at Chapel street in the city of Lockport." (No. 1889, Int. No. 129.)

"An act to amend the Greater New York Charter, in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes." (No. 1916, Int. No. 1286.)

"An act to legalize the election of three assessors for a full term of two years each at the town meeting held in the town of Florence, in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890." (No. 1874, Int. No. 1410.)

"An act to provide for the construction of a vertical retaining wall on the east side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Cedar street to the bridge over said feeder opposite the easterly end of Stone street in said village, and reappropriating therefor certain moneys appropriated by chapter 633 of the Laws of 1898." (No. 1969, Int. No. 1453.)

"An act to authorize the Jamestown Co-operative Supply Company to issue non-transferable stock." (No. 1902, Int. No. 1426.)

Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 of article 6 of the Constitution, relating to temporary designations by the Governor of Justices to the Appellate Division. (No. 1841, Int. No. 1328.)

A message was received from the Senate in words following:

IN SENATE, *March 2, 1899.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 436, Senate reprint 1015) entitled "An act to amend section 74 of article 6 of chapter 418 of the Laws of 1897, entitled 'An act in relation to liens, constituting chapter 49 of the general laws'" (Rec. No. 55).

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Ahearn, and by unanimous consent, the same was amended as follows:

Amend the title so as to read:

"An act to amend the lien law, relating to liens of bailee of animals."

Amend section 1 so as to read:

Section 1. Section seventy-four of chapter four hundred and

eighteen of the laws of eighteen hundred and ninety-seven, entitled "An act in relation to liens, constituting chapter forty-nine of the general laws," is hereby amended to read as follows:

§ 74. Lien of bailee of animals.—A person keeping a livery stable, or boarding stable for animals, or pasturing or boarding one or more animals, and who in connection therewith keeps or stores any wagon, truck, cart, carriage, vehicle or harness, has a lien dependent upon the possession upon each animal kept, pastured or boarded by him, and upon any wagon, truck, cart, carriage, vehicle or harness, of any kind or description, stored or kept, under an agreement with the owner thereof, whether such owner be a mortgagor remaining in possession or otherwise, for the sum due him for the care, keeping, boarding or pasturing of the animal, or for the keeping or storing of any wagon, truck, cart, carriage, vehicle and harness, under the agreement, and may detain the animal or wagon, truck, cart, carriage, vehicle and harness accordingly, until such sum is paid.

Said bill as amended was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Roche moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McInerney	Sanders
Allds	Darrison	Guider	McKeown	Sandford
Apgar	Davis	Hallock	McMillan	Sands
Axtell	Dean	Harburger	Meister	Sawyer
Babcock	De Graw	Hatch	Meyer	Schmid A F
Baker	Delaney	Hays	Miles	Schmid F
Ball	Dillon	Heller	Mohring	Schoeneck
Barrett	Doughty	Henderson	Murphy	Sharkey
Bashford	Dutton	Henry	O'Connor	Siems

Baum	Egan	Hill	Palmer	Sloane J J
Bedell	Ellis	Hitchcock	Paris	Smith J E
Boland	Evarts	Hoffman	Patton	Smith J T
Brennan E C	Fallows	Hutton	Phillips	Snyder
Brennan J F	Fancher	Johnson	Pickett	Stoneman
Brewster	Farrell	Juengst	Post	Streidler
Brown	Finn	Kane	Poth	Sullivan W J
Bryan	Fish	Kelley E E	Redington	Ten Eyck
Bulkley	Fitzgerald	Kelsey	Riedman	Thorn
Burnett	Fordyce	Kullman	Rierdon	Torborg
Cain	Fowler	Lewis M E	Roberts	Tripp
Clark	Gale	Lewis T D	Roche	Vincent
Collier	Gallagher	Litchard	Rogers	Ware
Collins	Gardiner	Mangin	Rowe	West
Costello	Gleason	Martin	Russell	Whipple
Cottle	Gould	Mason	Sabine	Wilson
Cotton	Graham	Mazet	Sage H M	Wingenfeld
Coughtry	Green	McEwan	Sage S B	Wissel
Cowles	Greenwood			

Said bill as amended having been announced for a third reading, was read the third time.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, as amended, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Grossman	McInerney	Sands
Allds	Davis	Guider	McKeown	Sawyer
Apgar	Dean	Hallock	McMillan	Schmid A F
Axtell	De Graw	Harburger	Meyer	Schoeneck
Babcock	Delaney	Hatch	Miles	Sears
Baker	Dillon	Hays	Mohring	Sharkey
Ball	Doughty	Heller	Murphy	Siems
Barrett	Dutton	Henderson	O'Connell	Slater
Bashford	Egan	Henry	Palmer	Sloane J J
Baum	Ellis	Hitchcock	Paris	Smith J E
Bedell	Evarts	Hoffman	Phillips	Smith J T
Beede	Fallows	Johnson	Pickett	Sprague
Brennan E C	Fancher	Juengst	Post	Stoneman
Brennan J F	Farrell	Kane	Redington	Sullivan T P

Brewster	Finn	Kelley E E	Riedman	Sullivan W J
Bryan	Fish	Kelly G T	Rierdon	Ten Eyck
Burnett	Fordyce	Kelsey	Roberts	Thorn
Cain	Fowler	Kullman	Roche	Torborg
Clark	Gale	Lewis M E	Rodenbeck	Trainor
Collier	Gallagher	Lewis T D	Rowe	Tripp
Collins	Gardiner	Litchard	Russell	Ware
Cottle	Gleason	Mangin	Sabine	West
Cotton	Gould	Martin	Sage H M	Whipple
Coughtry	Graham	Mason	Sage S B	Wissel
Cowles	Green	Mazet	Sanders	Witter
Cross	Greenwood	McEwan	Sandford	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have reconsidered their vote on the passage of said bill, and as amended have again passed the same.

The Senate returned the bill (No. 1255, Senate reprint 1079,) entitled "An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush, and to confirm the proceedings had with reference thereto and the issue of bonds thereon" (Int. No. 479), with a message that they have concurred in the passage of the same with the following amendments:

Page 2, lines 15 and 16, strike out the words "and the same shall be collected and enforced in the manner hereinafter prescribed."

Page 3, line 17, strike out the words "the assessments and all."

Same page, line 18, strike out the words "chargeable interest thereon which has not" and insert the words "except all such property upon which any such assessment and interest thereon has."

Page 5, line 21, strike out the words "balance of said original assessment" and insert the words "sum."

Page 7, line 8, strike out the word "of" and after the word "assessment" in same line insert the words "or other matter."

Same page, line 9, strike out the word "or" after the word "reduced."

Same page, line 10, immediately after a portion of the word "remitted" insert the words "or altered."

Same page, line 23, strike out the word "or" and after the word "remitted" in same line insert the words "or altered."

Page 8, line 16, after the word "to," and before the word "alter" insert the words "reduce, remit."

Same page, same line, strike out the word "or."

Same page, line 17, after a portion of the word "assessment" and before the word "upon" insert the words "or other matter."

Page 13, strike out all that follows line 7.

Page 14, strike out lines 1, 2 and 3.

Same page, line 4, strike out the figures "12" and insert the figures "11."

Mr. Russell moved to concur in the said amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the negative, were

Adler	Cowles	Grossman	McKeown	Sands
Allds	Cross	Guider	Meister	Sawyer
Apgar	Darrison	Hallock	Meyer	Schmid F
Axtell	Davis	Harburger	Miles	Sears
Babcock	Dean	Hatch	Mohring	Sharkey
Baker	De Graw	Hays	Murphy	Siems
Ball	Delaney	Heller	O'Connor	Slater
Barrett	Dillon	Henderson	Palmer	Sloane C A
Bashford	Dutton	Hill	Paris	Sloane J J
Baum	Ellis	Hitchcock	Patton	Smith J T
Bedell	Evarts	Hutton	Pickett	Snyder
Beede	Fallows	Juengst	Post	Sprague
Boland	Fancher	Kane	Poth	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Streiffer
Brennan J E	Finn	Kelsey	Riedman	Sullivan T P
Brewster	Fitzgerald	Kullman	Rierdon	Ten Eyck
Brown	Fordyce	Lewis M E	Roche	Thorn
Bryan	Fowler	Lewis T D	Rodenbeck	Torborg
Bulkley	Gale	Litchard	Rogers	Tripp
Burnett	Gallagher	Mangin	Russell	Vincent
Cain	Gardiner	Martin	Sabine	West
Clark	Gleason	Mason	Sage H M	Whipple
Collier	Gould	Mazet	Sage S B	Wilson
Costello	Green	McEwan	Sanders	Wissel
Cottle	Greenwood	McInerney	Sandford	Witter
Cotton				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the bill (No. 1192, Senate reprint No. 1124,) entitled "An act to amend chapter 467 of the Laws of 1892, entitled 'An act relating to St. Saviour's Sanitarium, and for the care of inebriate women.'" (Int. No. 214), with a message that they have concurred in the passage of the same, with the following amendment:

Page 4, line 9, strike out the word "shall" and insert the word "may."

Mr. Mazet moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McMillan	Sands
Allds	Cowles	Greenwood	Meister	Schmid A F
Apgar	Cross	Grossman	Meyer	Schmid F
Axtell	Darrison	Guider	Miles	Schoeneck
Babcock	Davis	Hallock	Mohring	Sears
Baker	Dean	Harburger	Murphy	Sharkey
Ball	De Graw	Hays	O'Connor	Siems
Barrett	Delaney	Heller	Palmer	Slater
Bashford	Dillon	Henderson	Paris	Sloane C A
Baum	Doughty	Hill	Patton	Sloane J J
Bedell	Dutton	Hitchcock	Phillips	Smith J E
Beede	Egan	Hutton	Pickett	Snyder
Boland	Ellis	Johnson	Post	Sprague
Brennan E C	Evarts	Juengst	Poth	Stoneman
Brennan J F	Fallows	Kelley E E	Redington	Streifler
Brewster	Fancher	Kelsey	Riedman	Sullivan T P
Brown	Farrell	Kullman	Rierdon	Sullivan W J
Bryan	Finn	Lewis M E	Roberts	Thorn
Bulkley	Fitzgerald	Lewis T D	Roche	Torborg

Burnett	Fordyce	Litchard	Rodenbeck	Trainor
Cain	Fowler	Mangin	Rogers	Tripp
Clark	Gale	Martin	Rowe	Vincent
Collier	Gallagher	Mason	Sabine	Ware
Collins	Gardiner	Mazet	Sage H M	West
Costello	Gleason	McEwan	Sage S B	Whipple
Cottle	Gould	McInerney	Sanders	Wingenfeld
Cotton	Graham	McKeown	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate made thereto.

The Senate returned the bill (No. 703, Senate reprint No. 1020,) entitled "An act for the protection of certain fur-bearing animals in the counties of Cattaraugus, Oneida, Madison, Otsego, Wayne, Cayuga, Livingston, Jefferson, Chemung, Chenango and Wyoming" (Int. No. 254), with a message that they have concurred in the passage of the same with the following amendments:

Strike out all after the enacting clause and insert the following:

Section 1. Chapter four hundred and eighty-eight of the laws of eighteen hundred and ninety-two is hereby amended by adding after section number fifty-seven, another section to be known as section number fifty-eight, to read as follows:

§ 58. No person shall catch or kill or attempt to catch or kill within the counties of Cattaraugus, Oneida, Madison, Otsego, Wayne, Cayuga, Livingston, Jefferson, Chemung, Chenango, and Wyoming any mink, skunk, muskrat, or fox or injure or destroy any muskrat house, except upon the premises owned or possessed by him or within the limits of an incorporated village or city, or have the same in his possession which was so killed from the first day of May to the thirty-first day of the following October; except that foxes shall not be so killed or caught in any of said counties except Cayuga from the first day of May to the thirtieth day of the following September. Whoever shall violate or attempt to violate any of the provisions of this section shall be deemed guilty of a misdemeanor and in addition thereto shall be liable to a penalty of twenty-five dollars for each violation thereof.

§ 2. Chapter two hundred and fifty-one of the laws of eighteen hundred and ninety-six, chapter forty, of the laws of eighteen hundred and ninety-eight and chapter one hundred and seventy-five of the laws of eighteen hundred and ninety-seven are hereby re-

pealed; but this repeal shall not affect any action or proceeding, civil or criminal, now pending under provisions of said act.

§ 3. This act shall take effect immediately.

Mr. Whipple moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McMillan	Schmid A F
Allds	Darrison	Guider	Meister	Schoeneck
Apgar	Davis	Hallock	Miles	Sears
Axtell	Dean	Harburger	Mohring	Sharkey
Babcock	De Graw	Hatch	Murphy	Slater
Baker	Delaney	Heller	O'Connell	Sloane C A
Ball	Dillon	Henderson	Palmer	Sloane J J
Barrett	Doughty	Henry	Paris	Smith J E
Bashford	Dutton	Hill	Phillips	Smith J T
Bedell	Egan	Hitchcock	Pickett	Snyder
Beede	Ellis	Hoffman	Post	Sprague
Boland	Evarts	Juengst	Poth	Stoneman
Brennan E C	Fallows	Kane	Redington	Sullivan T P
Brennan J F	Fancher	Kelley E E	Riedman	Sullivan W J
Brewster	Farrell	Kelly G T	Rierdon	Ten Eyck
Brown	Finn	Kelsey	Roberts	Thorn
Bryan	Fish	Kullman	Rodenbeck	Torborg
Bulkley	Fitzgerald	Lewis M E	Rogers	Trainor
Burnett	Fordyce	Lewis T D	Rowe	Tripp
Cain	Fowler	Litchard	Russell	Vincent
Clark	Gale	Mangin	Sabine	Ware
Collier	Gallagher	Martin	Sage H M	West
Collins	Gardiner	Mason	Sage S B	Whipple
Costello	Gleason	Mazet	Sanders	Wilson
Cottle	Gould	McEwan	Sandford	Wissel
Coughtry	Graham	McInerney	Sands	Witter
Cowles	Greenwood	McKeown	Sawyer	

Ordered, That the Clerk return said bill to the Senate, with a

message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the bill (No. 688, Senate reprint No. 894,) entitled "An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of completing a map or maps of said city" (Int. No. 642), with a message that they have concurred in the passage of the same, with the following amendment:

Page 1, line 2, strike out the words "and directed."

Mr. Sabine moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meister	Sawyer
Allds	Davis	Hallock	Meyer	Schmid A F
Apgar	Dean	Harburger	Miles	Schoeneck
Axtell	De Graw	Hatch	Mohring	Sears
Babcock	Delaney	Hays	Murphy	Sharkey
Baker	Dillon	Henderson	O'Connor	Siems
Ball	Doughty	Henry	Palmer	Slater
Barrett	Egan	Hill	Paris	Sloane C A
Bashford	Ellis	Hoffman	Phillips	Sloane J J
Baum	Evarts	Hutton	Pickett	Smith J E
Bedell	Fallows	Johnson	Post	Snyder
Beede	Farrell	Kane	Poth	Sprague
Brennan E C	Finn	Kelley E E	Redington	Stoneman
Brennan J F	Fish	Kelly G T	Riedman	Sullivan T P
Brewster	Fitzgerald	Kelsey	Rierdon	Sullivan W J
Brown	Fordyce	Kullman	Roberts	Ten Eyck
Bryan	Fowler	Lewis M E	Roche	Thorn
Bulkley	Gale	Lewis T D	Rodenbeck	Torborg
Burnett	Gallagher	Litchard	Rogers	Tripp
Clark	Gardiner	Mangin	Rowe	Vincent
Collier	Gleason	Martin	Russell	West

Collins	Gould	Mason	Sage H M	Whipple
Costello	Graham	Mazet	Sanders	Wilson
Cottle	Green	McEwan	Sandford	Wissel
Coughtry	Greenwood	McInerney	Sands	Witter
Cowles	Grossman	McMillan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate made thereto.

The Senate returned the bill (No. 891, Senate reprint No. 1026,) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Henry E. Tremain and Mason W. Tyler, composing the copartnership of Tremain & Tyler, against the State for damages alleged to have been sustained by them, and to render judgment therefor" (Int. No. 803), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 2, before the word "claim" insert the word "alleged."

Same page, line 9, before the word "value" insert the word "alleged."

Page 2, line 1, before the word "rendered" insert the words "alleged to have been."

Mr. Slater moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 133 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McMillan	Sandford
Allds	Darrison	Hallock	Meister	Sands
Apgar	Davis	Harburger	Meyer	Sawyer
Axtell	Dean	Hatch	Mohring	Schmid A F
Babcock	De Graw	Hays	Murphy	Schoeneck
Baker	Delaney	Heller	O'Connell	Sharkey

Ball	Dillon	Henderson	Palmer	Siems
Barrett	Doughty	Henry	Paris	Slater
Bashford	Dutton	Hill	Patton	Sloane C A
Baum	Egan	Hitchcock	Phillips	Sloane J J
Bedell	Ellis	Hoffman	Pickett	Smith J E
Beede	Evarts	Johnson	Post	Smith J T
Boland	Fallows	Juengst	Poth	Snyder
Brennan E O	Farrell	Kane	Redington	Sprague
Brennan J F	Finn	Kelley E E	Riedman	Stoneman
Brewster	Fish	Kelly G T	Rierdon	Streifler
Brown	Fitzgerald	Kelsey	Roberts	Sullivan W J
Bryan	Fordyce	Kullman	Roche	Ten Eyck
Bulkley	Fowler	Lewis M E	Rodenbeck	Torborg
Burnett	Gale	Lewis T D	Rogers	Trainor
Clark	Gallagher	Litchard	Rowe	Vincent
Collier	Gardiner	Mangin	Russell	Ware
Collins	Gleason	Martin	Sabine	Whipple
Costello	Gould	Mason	Sage H M	Wilson
Cotton	Graham	Mazet	Sage S B	Wingenfeld
Coughtry	Green	McEwan	Sanders	Witter
Cowles	Greenwood	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the bill (No. 697, Senate reprint No. 924,) entitled "An act to amend the Code of Criminal Procedure in relation to the assignment of counsel" (Int. No. 14), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 7, after the word "arraignment" insert the words "on the indictment."

Section 2, strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

Mr. Ware moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meister	Sandford
Allds	Davis	Hallock	Meyer	Sands
Apgar	Dean	Harburger	Miles	Sawyer
Axtell	De Graw	Hatch	Mohring	Schmid A F
Babcock	Delaney	Hays	Murphy	Schmid F
Baker	Dillon	Heller	O'Connell	Schoeneck
Ball	Doughty	Henry	O'Connor	Sears
Bashford	Dutton	Hill	Palmer	Sharkey
Baum	Egan	Hitchcock	Paris	Siems
Bedell	Ellis	Hoffman	Patton	Sloane C A
Bede	Evarts	Johnson	Pickett	Sloane J J
Boland	Fallows	Juengst	Post	Smith J E
Brennan E C	Fancher	Kane	Poth	Snyder
Brennan J F	Farrell	Kelley E E	Redington	Sprague
Brewster	Finn	Kelly G T	Riedman	Streifler
Brown	Fish	Kelsey	Rierdon	Sullivan T P
Bulkley	Fitzgerald	Kullman	Roberts	Sullivan W J
Burnett	Fordyce	Lewis M E	Roche	Thorn
Cain	Fowler	Lewis T D	Rodenbeck	Torborg
Clark	Gale	Litchard	Rogers	Tripp
Collier	Gallagher	Mangin	Rowe	Vincent
Collins	Gleason	Martin	Russell	Ware
Costello	Gould	Mason	Sabine	Whipple
Cottle	Graham	Mazet	Sage H M	Wingenfeld
Cotton	Green	McEwan	Sage S B	Wissel
Cowles	Greenwood	McInerney	Sanders	Witter
Cross	Grossman	McKeown		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate made thereto.

The Senate returned the bill (No. 653, Senate reprint No. 1017,) entitled "An act to amend the Fisheries, Game and Forest Law in relation to grouse and other birds in Rensselaer county" (Int. No. 605), with a message that they have concurred in the passage of the same with the following amendment:

Page 2, line 2, strike out the word "had" and insert the word "has."

Mr. Russell moved to concur in the Senate amendment.

Mr. Speaker put the question whether the House would concur

in said amendment, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cottle	Graham	Mazet	Sage S B
Alds	Cotton	Greenwood	McEwan	Sanders
Apgar	Coughtry	Guider	McInerney	Sandford
Axtell	Cowles	Hallock	McKeown	Sawyer
Babcock	Cross	Harburger	McMillan	Schmid F
Baker	Darrison	Hays	Meister	Schoeneck
Ball	Dean	Heller	Miles	Sharkey
Barrett	De Graw	Henry	Mohring	Slater
Bashford	Delaney	Hill	Murphy	Sloane J J
Baum	Doughty	Hitchcock	O'Connor	Smith J E
Bedell	Dutton	Hoffman	Palmer	Smith J T
Beede	Egan	Hutton	Paris	Snyder
Boland	Ellis	Johnson	Patton	Sprague
Brennan E O	Evarts	Juengst	Pickett	Stoneman
Brennan J F	Fancher	Kelley E E	Post	Sullivan T P
Brewster	Farrell	Kelly G T	Poth	Sullivan W J
Brown	Finn	Kelsey	Redington	Thorn
Bryan	Fish	Kullman	Riedman	Trainor
Bulkley	Fitzgerald	Lewis M E	Roberts	Vincent
Burnett	Fordyce	Lewis T D	Roche	Ware
Cain	Fowler	Litchard	Rodenbeck	West
Clark	Gale	Mangin	Rowe	Wilson
Collier	Gardiner	Martin	Russell	Wingenfeld
Collins	Gleason	Mason	Sabine	Witter
Costello	Gould			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendment of the Senate made thereto.

The Senate returned the bill (No. 505, Senate reprint No. 1032,) entitled "An act to amend the Highway Law, and the act amendatory thereof, relative to commutations of labor on highways" (Int. No. 102), with a message that they have concurred in the request of the Assembly for a committee of conference, and the

President appointed as such committee, on the part of the Senate, Messrs. Raines, Thornton and Boyce.

Mr. Speaker announced as such committee of conference on the part of the Assembly, Messrs. Burnett, Allds and Russell.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate returned the bill (No. 1076, Senate reprint No. 1127,) entitled "An act to regulate the laying and using of street surface railroad tracks upon Amsterdam avenue, in the city of New York, for the greater safety of the lives and limbs of the citizens of said city" (Int. No. 950), with a message that they have concurred in the request of the Assembly for a committee of conference, and the President appointed as such committee, on the part of the Senate, Messrs. Raines, Stranahan and Coffey.

Mr. Speaker announced as such committee of conference, on the part of the Assembly, Messrs. Bedell, Axtell, Costello, Rogers and Trainor.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate returned the following entitled bill:

"An act to amend chapter 165 of the Laws of 1898, entitled 'An act for the registration of all persons duly admitted and licensed to practice as attorneys-at-law or as attorneys and counsellors-at-law in the courts of record of this State,' relating to the granting of orders to permit compliance therewith." (No. 714, Senate reprint 1025, Int. No. 650.)

Ordered, That the Clerk deliver said bill to the Governor.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same:

"An act to amend chapter 685 of the Laws of 1892, entitled 'An act in relation to municipal corporations, constituting chapter 17 of the general laws.'" (No. 1071, Int. No. 653.)

"An act to amend section 1081 of the Code of Civil Procedure, relative to exemption from jury duty." (No. 1680, Int. No. 1281.)

"An act to extend the time of the Batavia and Northern Rail-

road Company to begin the construction of its road, and to expend thereon 10 per cent. of the amount of its capital, and to finish its road and put it in operation." (No. 1147, Int. No. 983.)

"An act authorizing the sale of property left in street surface railroad cars, and the disposition of the proceeds thereof." (No. 613, Int. No. 573.)

"An act to extend the time of the Newtown and Flushing Canal Company to begin the construction of its canal and work and to complete the same." (No. 1382, Int. No. 1125.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' in relation to Magistrates' Courts." (No. 1584, Int. No. 430.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

"An act to amend chapter 425 of the Laws of 1896, entitled 'An act to amend the charter of the city of Poughkeepsie,' as amended by chapter 232 of the Laws of 1898." (No. 1273, Int. No. 663.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Poughkeepsie.

"An act to amend 'The Greater New York Charter,' relating to the appointment of justices of the Court of Special Sessions and city magistrates." (No. 1456, Int. No. 292.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

The Senate returned the following entitled bills, with a message that they have reconsidered their vote by which said bills were passed, and as amended have again passed the same.

"An act to amend chapter 212 of the Laws of 1898, entitled 'An act in relation to the militia, constituting chapter 16 of the general laws,' relative to the use of armories." (No. 1910, Int. No. 275.)

“An act to amend chapter 253 of the Laws of 1897, relative to the investment of the trust funds of the Buffalo city cemetery.” (No. 1807, Int. No. 837.)

“An act to reappropriate moneys appropriated by chapter 570 of the Laws of 1897, and by chapter 619 of the Laws of 1898 for the repairs of approaches and for the construction of a swing bridge in the town of Waterford.” (No. 1317, Int. No. 481.)

“An act to amend the Labor Law, relating to licenses for the manufacture of certain articles in tenements.” (No. 1163, Int. No. 591.)

“An act to amend the Membership Corporation Law, in relation to the erection of soldiers’ monuments.” (No. 1107, Int. No. 956.)

“An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled ‘An act relating to villages, constituting chapter 21 of the general laws,’ relative to licenses.” (No. 1825, Int. No. 1237.)

“An act to authorize the appointment of a transfer tax clerk by the surrogate of the county of Ulster, and to provide for his compensation.” (No. 1142, Int. No. 978.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act to amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,’ and the several acts amendatory thereof and supplemental thereto in relation to the boundaries of said city.” (No. 1638, Int. No. 1167.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

“An act making an appropriation of moneys collected and due from racing associations for the promotion of agriculture.” (No. 1791, Int. No. 1372.)

“An act to authorize the board of trustees of the village of Ellenville to enlarge, protect and increase its supply of water.” (No. 1185, Int. No. 1016.)

“An act to amend the Labor Law, relating to the duties of the Factory Inspector and the enforcement of the provisions of such law.” (No. 1615, Int. No. 740.)

“An act to reappropriate the unexpended balance of the appropriation for the improvement of the Erie, the Champlain and the Oswego canals.” (No. 1451, Int. No. 567.)

“An act authorizing the village of Ellenville, in the county of Ulster, to raise money by issuing bonds for the payment of a judgment recovered against said village by Rachel A. Woolsey.” (No. 1070, Int. No. 439.)

“An act to amend the Fisheries, Game and Forest Law in relation to deer and venison on Long Island.” (No. 1518, Int. No. 604.)

“An act to provide for extraordinary repairs and improvements of existing mechanical and other structures and work on and connected with the canals of the State.” (No. 850, Int. No. 766.)

“An act to amend chapter 338 of the Laws of 1893, entitled ‘An act in relation to agriculture, constituting articles 1, 2, 3, 4, 5, 6, 7 and 8 of the general laws,’ relative to prevention of disease among bees.’” (No. 1674, Int. No. 1274.)

“An act authorizing the president and board of trustees of the village of Peekskill, in the county of Westchester, to borrow money on the credit of said village, and to issue bonds therefor.” (No. 1623, Int. No. 1295.)

Ordered, That the Clerk deliver said bills to the Governor.

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon South St. Paul street, in the city of Rochester, from East Main street to Court street, upon the property benefited thereby.” (No. 1661, Int. No. 1157.)

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, through and upon Court street in the city of Rochester, from South St. Paul street to Clinton street, upon the property benefited thereby.” (No. 1660, Int. No. 1156.)

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through South St. Paul street, in the city of Rochester, from Court street to the Erie canal, upon the property benefited thereby.” (No. 1662, Int. No. 1159.)

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Parsells avenue, in the city of Rochester, from Leighton street to the Culver road, upon the property benefited thereby.” (No. 1653, Int. No. 1144.)

“An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through Mount Hope avenue, in the city of Rochester, from the Erie canal to Elmwood avenue, upon the property benefited thereby.” (No. 1659, Int. No. 1155.)

Ordered, That the Clerk transmit certified copies thereof to the Mayor of the city of Rochester.

“An act to amend chapter 391 of the Laws of 1898, entitled ‘An act to provide for the support and maintenance of the Woodhaven Fire Department of the town of Jamaica, borough of Queens, in the city of New York,’ in relation to provision for volunteer fire department.” (No. 1350, Int. No. 844.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of New York.

“An act to amend chapter 26 of the Laws of 1885, entitled ‘An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,’ in relation to cleaning, sprinkling and watering of streets.” (No. 1074, Int. No. 524.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

“An act to amend chapter 615 of the Laws of 1894, entitled ‘An act to revise the charter of the city of Elmira.’” (No. 789, Int. No. 724.)

“An act to authorize the common council of the city of Elmira to determine and award damages for the changing of the original grade of Walnut street, between the south side of Water street and low water mark of the Chemung river in the city of Elmira.” (No. 75, Int. No. 75.)

Ordered, That the Clerk transmit certified copies thereof to the mayor of the city of Elmira.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the Assembly bill

(No. 575), entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities" (Int. No. 541), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

By unanimous consent,

Mr. Greenwood introduced a bill entitled "An act to authorize the town board of the town of Galen, Wayne county, to execute and negotiate notes for the purpose of raising money to pay certain indebtedness of said town pursuant to a vote and resolution of the town meeting held March 7, 1899" (Int. No. 1514), which was read the first time.

On motion of Mr. Greenwood, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on internal affairs.

By unanimous consent,

Mr. Gardiner introduced a bill entitled "An act to amend the Fisheries, Game and Forest Law, in relation to pollution of waters used by State hatcheries" (Int. No. 1513), which was read the first time and referred to the committee on fisheries and game.

By unanimous consent,

Mr. Gardiner introduced a bill entitled "An act to amend chapter 312 of the Laws of 1884, entitled 'An act respecting the employment of honorably discharged Union soldiers and sailors in the public service of the State of New York,' relating to removals of soldiers and sailors of the late war with Spain" (Int. No. 1512), which was read the first time and referred to the committee on the judiciary.

On motion of Mr. Allds, the House adjourned.

MONDAY EVENING, APRIL 3, 1899.

The House met pursuant to adjournment.

Prayer by Rev. J. G. Fallon.

On motion of Mr. Allds, the reading of the journal of Friday, March 31, was dispensed with and the same was approved.

Mr. Speaker announced the special order, being the bill (No. 321) entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations'" (Int. No. 313), having been announced for a second reading,

On motion of Mr. Sanders, and by unanimous consent, said bill was made a special order on second reading for Wednesday next immediately after the reading of the journal.

The bill (No. 396) entitled "An act to regulate the occupation of barbers and to provide for the sanitary inspection of barber shops" (Int. No. 381), having been announced for a second reading,

On motion of Mr. McEwan, and by unanimous consent, said bill was made a special order on second reading for Wednesday next immediately after the reading of the journal.

The bill (No. 726) entitled "An act to amend chapter 39 of the general laws, entitled 'An act in relation to railroads'" (Int. No. 661), was read the second time.

On motion of Mr. Torborg, said bill was placed on the order of third reading.

On motion of Mr. Torborg, said bill was recommitted to the committee on railroads, retaining its place on the order of third reading.

The bill (No. 724) entitled "An act to regulate the use of lands forming part of the right of way of any railroad company, the road of which has been removed from the surface in, or adjacent to, streets and highways in all cities of the first class in this state" (Int. No. 659), was read the second time.

On motion of Mr. Torborg, said bill was placed on the order of third reading.

On motion of Mr. Torborg, said bill was recommitted to the committee on railroads, retaining its place on the order of third reading.

The Senate bill (No. 1077) entitled "An act to amend the Penal Code to prohibit the use of trading stamps, trading checks and similar gift enterprises" (Rec. No. 231), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading.

On motion of Mr. Dillon, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 967) entitled "An act to amend section 33 of the Railroad Law, in regard to crossing signs, gates and flagmen, and whistleposts" (Rec. No. 212), having been announced for a second reading,

On motion of Mr. Bedell, said bill was laid aside, retaining its place on the order of second reading.

The Senate bill (No. 405) entitled "An act to amend article five of the Executive Law relating to the Attorney-General" (Rec. No. 214), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on second and third reading for Wednesday at 12 o'clock noon.

The bill (No. 1999) entitled "An act to amend chapter 711 of the Laws of 1881, entitled 'An act to revise, consolidate and amend the several acts relating to the New York State Reformatory at Elmira,' relating to sentence of persons confined therein" (Int. No. 1314), having been announced for a second reading,

On motion of Mr. Gardiner, said bill was recommitted to the committee on the judiciary, retaining its place on the order of second reading.

The bill (No. 1499) entitled "An act to amend chapter 429 of the Laws of 1893, entitled 'An act to provide for the compilation and continuance and care of certain indexes and records in the Albany county clerk's office,' as amended by chapter 268 of the Laws of 1896, entitled 'An act to amend chapter 429 of the Laws of 1893,' entitled 'An act to provide for the compilation and continuance and care of certain indexes and records in the Albany county clerk's office'" (Int. No. 1205), was read the second time.

On motion of Mr. McEwan, said bill was placed on the order of third reading.

On motion of Mr. McEwan, said bill was recommitted to the

committee on internal affairs, retaining its place on the order of third reading.

The bill (No. 1977) entitled "An act to authorize the town of Grand Island, in the county of Erie, to raise moneys for the purpose of securing a means of access by bridge from the said town across the water of Niagara river to the main land, and to issue its bonds therefor" (Int. No. 1457), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1238) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to fishing in certain streams in Warren county" (Int. No. 1049), was read the second time.

On motion of Mr. Hitchcock, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1978) entitled "An act to amend chapter 562 of the Laws of 1890, entitled 'An act to revise the charter of the village of Alden'" (Int. No. 1458), was read the second time.

On motion of Mr. Patton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1572) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 1249), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1794) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county, against the State on account of illegal cancellation of land sales for taxes" (Int. No. 1361), was read the second time.

On motion of Mr. Hays, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1385) entitled "An act to amend the Transportation Corporation Law, in relation to the inspection of gas meters, and providing for a deputy inspector for the borough of Brooklyn, in the city of New York, the employment of mechanics to assist the inspector of gas meters in his work, and for the payment of office and other expenditures necessary for the perform-

ance of the duties imposed by law upon said inspector of gas meters" (Int. No. 1128), having been announced for a second reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on second reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1155) entitled "An act to credit and pay to the people of the several counties of the State the moneys received from the United States pursuant to an act of Congress, approved March 2, 1891, entitled 'An act to credit and pay to the several States and Territories and the District of Columbia, all moneys collected under the direct tax levied by the Congress, approved August 5, 1861'" (Int. No. 991), was read the second time.

On motion of Mr. De Graw, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1289), entitled "An act to amend sections 707, 708, 709 and 710 of the Greater New York Charter, being chapter 378 of the Laws of 1897, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy in the city of New York" (Int. No. 1076), having been announced for a second reading,

On motion of Mr. Slater, and by unanimous consent, said bill was made a special order on second reading for Wednesday next immediately after the consideration of the special order heretofore made.

The bill (No. 1713) entitled "An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda'" (Int. No. 1278), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1984) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws'" (Int. No. 1464), was read the second time.

On motion of Mr. Costello, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1737) entitled "An act to amend the Labor Law,

relating to the rate of wages to be paid to unskilled laborers on public works " (Int. No. 1329), having been announced for a second reading,

On motion of Mr. Delaney, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 626) entitled " An act to amend the Fisheries, Game and Forest Law, relative to fishing for, catching or killing black bass, pickerel, pike or wall eyed pike; close season " (Int. No. 586), was read the second time.

On motion of Mr. Gardiner, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1975) entitled " An act to amend the Fisheries, Game and Forest Law in relation to taking deleterious fish from public waters " (Int. No. 1455), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2030) entitled " An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur F. Barker against the State of New York for compensation to which it is alleged said complaint is entitled for services rendered and performed for and on behalf of the State of New York, and to render judgment therefor " (Int. No. 1490), was read the second time.

On motion of Mr. Ten Eyck, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 284) entitled " An act to amend the Fisheries, Game and Forest Law relating to unlawful devices and explosives for the taking of fish " (Rec. No. 121), was read the second time.

On motion of Mr. Bryan, said bill was placed on the order of third reading.

The Senate bill (No. 965) entitled " An act to amend chapter 941 of the Laws of 1867, entitled ' An act to amend and consolidate the several acts relating to the charter of the village of Churchville, in the county of Monroe,' in relation to the assessment of taxes " (Rec. No. 217), was read the second time.

On motion of Mr. Gleason, said bill was placed on the order of third reading.

The Senate bill (No. 952) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' and the acts amending the same" (Rec. No. 235), was read the second time.

On motion of Mr. Darrison, said bill was placed on the order of third reading.

The Senate bill (No. 899) entitled "An act to release to George W. Tindale all the right, title and interest in and to the personal property and estate of James J. Flavey" (Rec. No. 168), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading.

The Senate bill (No. 735) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county and State of New York" (Rec. No. 211), was read the second time.

On motion of Mr. Palmer, said bill was placed on the order of third reading.

The Senate bill (No. 1031) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution relating to the election of different justices of the Supreme Court" (Rec. No. 240), was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading.

The Senate bill (No. 732) entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to execute and file official bonds, et cetera" (Rec. No. 215), was read the second time.

On motion of Mr. Axtell, said bill was placed on the order of third reading.

The Senate bill (No. 959) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897" (Rec. No. 295), having been announced for a second reading,

Mr. Palmer moved to amend as follows:

Page 3, line 9, strike out the word "six" and insert the word "four."

Same page, line 10, after the word "modified" insert the following: "The four commissioners first appointed shall hold office, two for two years and eight months, and two for four years and eight months; and said commissioners, at their first meeting, shall, by lot, decide which two of said commissioners shall hold office for the term of two years and six months."

Same page, line 12, strike out the balance of said line after the word "end" and all of line 13 to the word "five," and insert the following: "As to the two commissioners for the short term, on the thirty-first day of December, nineteen hundred and one, and as to the two commissioners for the long term, on the thirty-first day of December, nineteen hundred and three."

Same page, line 15, strike out all of said line after the word "December," and the first word on line 16, and insert the words "When the terms of office of said commissioners shall expire."

Page 7, line 22, strike out the words "of the city of Oswego" and "state superintendent of public instruction," and insert the words "mayor of the city of Oswego."

Page 8, lines 1 and 2, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Same page, line 4, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Same page, line 7, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Same page, line 8, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Same page, line 9, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Page 11, line 25, after the word "superintendent" insert the words "subject to the review or approval of the department."

On motion of Mr. Allds, and by unanimous consent, said bill, together with said amendments, was made a special order on second and third reading for Tuesday next immediately after the reading of the journal.

The Senate bill (No. 787) entitled "An act to amend chapter 908 of the Laws of 1896, known as the Tax Law, relative to cancellation of tax sales by county treasurers" (Rec. No. 145), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

The Senate bill (No. 799) entitled "An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication" (Rec. No. 239), was read the second time.

On motion of Mr. Streifler, said bill was placed on the order of third reading.

The Senate bill (No. 916) entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution'" (Rec. No. 287), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading.

The bill (No. 1956) entitled "An act to secure proper sanitary conditions and proper ventilation in public buildings and school-houses" (Int. No. 718), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 1 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sandford
Allds	Cross	Guider	McKeown	Sands
Apgar	Darrison	Hallock	Meister	Schmid A F
Axtell	Davis	Hatch	Meyer	Schoeneck
Babcock	Dean	Hays	Miles	Sears
Baker	De Graw	Heller	Mohring	Sharkey
Ball	Delaney	Henderson	Murphy	Slater
Barrett	Dillon	Henry	O'Connell	Sloane C A
Bashford	Doughty	Hill	O'Connor	Sloane J J
Baum	Dutton	Hitchcock	Paris	Smith J E
Bedell	Egan	Hoffman	Patton	Snyder
Beede	Ellis	Hutton	Phillips	Sprague
Boland	Evarts	Johnson	Pickett	Stoneman
Brennan E C	Fallows	Juengst	Post	Streifler
Brennan J F	Fancher	Kane	Poth	Sullivan T P
Brewster	Farrell	Kelley E E	Redington	Ten Eyck
Bryan	Fish	Kelsey	Riedman	Thorn
Bulkley	Fitzgerald	Kullman	Roberts	Torborg

Burnett	Fordyce	Lewis M E	Roche	Trainor
Cain	Fowler	Lewis T D	Rodenbeck	Vincent
Clark	Gale	Litchard	Rogers	Ware
Collier	Gardiner	Mangin	Rowe	West
Collins	Gleason	Martin	Russell	Wilson
Costello	Gould	Mason	Sabine	Wingenfeld
Cottle	Graham	Mazet	Sage S B	Wissel
Cotton	Green	McEwan	Sanders	Witter
Coughtry				

In the negative,

Finn

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1963) entitled "An act to exempt from county and municipal taxation the property of 'The New York Polyclinic Medical School and Hospital'" (Int. No. 1367), having been announced for a third reading.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
{ NOES 32 }

Those who voted in the affirmative, were

Adler	Egan	Henry	Paris	Schmid A F
Babcock	Fallows	Hoffman	Patton	Schoeneck
Barrett	Farrell	Juengst	Phillips	Sharkey
Baum	Finn	Kelly G T	Pickett	Siems
Boland	Fitzgerald	Kullman	Poth	Slater
Brennan E C	Gale	Mangin	Riedman	Smith J E
Brennan J F	Gardiner	Mason	Rierdon	Snyder

Cain	Gould	McInerney	Roche	Sprague
Collier	Green	McKeown	Rodenbeck	Stoneman
Collins	Greenwood	Meister	Rogers	Streifler
Cottle	Grossman	Meyer	Sabine	Sullivan W J
Cotton	Guider	Mohring	Sage H M	Torborg
Coughtry	Harburger	Murphy	Sage S B	Trainor
Davis	Hays	O'Connell	Sanders	Tripp
Dillon	Heller	O'Connor	Sandford	Wilson
Doughty	Henderson	Palmer	Sands	

Those who voted in the negative, were

Allds	Costello	Fowler	Lewis M E	Russell
Axtell	Cowles	Graham	Lewis T D	Sawyer
Baker	Darrison	Hatch	Litchard	Smith J T
Bedeil	Dutton	Johnson	Maher	Vincent
Brewster	Ellis	Kelley E E	McMillan	West
Bryan	Fancher	Kelsey	Miles	Witter
Clark	Fish			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Miles in the chair.

The Senate bill (No. 225, Assembly reprint No. 1952), entitled "An act to amend chapter 599 of the Laws of 1898, entitled 'An act to incorporate the Security Assurance Company,' relative to the capital stock of, and reports by said corporation, and subjecting said corporation to the inspection, examination and control of the banking department" (Rec. No. 26), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	McMillan	Schmid F
Allds	Cross	Hatch	Meister	Sears
Apgar	Darrison	Hays	Meyer	Sharkey
Axtell	Davis	Heller	Miles	Slater

Babcock	Dean	Henderson	Mohring	Sloane C A
Baker	De Graw	Hill	Murphy	Sloane J J
Ball	Delaney	Hitchcock	O'Connell	Smith J E
Barrett	Dillon	Hoffman	Palmer	Smith J T
Baum	Doughty	Hutton	Paris	Snyder
Bedell	Dutton	Johnson	Phillips	Sprague
Beede	Egan	Juengst	Pickett	Streifler
Boland	Ellis	Kane	Poth	Sullivan T P
Brennan E C	Fallows	Kelley E E	Redington	Sullivan W J
Brennan J F	Fancher	Kelly G T	Riedman	Ten Eyck
Brown	Finn	Kelsey	Rierdon	Torborg
Bryan	Fish	Kullman	Roberts	Trainor
Bulkley	Fitzgerald	Lewis M E	Rodenbeck	Tripp
Burnett	Fowler	Lewis T D	Rogers	Vincent
Cain	Gale	Litchard	Rowe	Ware
Clark	Gallagher	Mangin	Sabine	West
Collier	Gleason	Martin	Sage H M	Whipple
Collins	Gould	Mason	Sage S B	Wilson
Costello	Graham	Mazet	Sandford	Wingenfeld
Cottle	Greenwood	McEwan	Sands	Wissel
Cotton	Guider	McInerney	Schmid A F	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Senate have concurred in the passage of the same, with amendments.

The Senate bill (No. 892) entitled "An act to incorporate the "Improved Order of Red Men's Home Association of New York" (Rec No. 167), having been announced for a third reading,

On motion of Mr. G. T. Kelly, and by unanimous consent, said bill was made a special order on third reading for Wednesday next immediately after the consideration of the special order heretofore made.

The bill (No. 1879) entitled "An act in relation to certain property of the Jewish Theological Seminary Association" (Int. No. 1415), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meyer	Schmid A F
Allds	Davis	Hatch	Mohring	Schmid F
Axtell	Dean	Heller	Murphy	Schoeneck
Babcock	De Graw	Henderson	O'Connell	Sears
Baker	Delaney	Hill	Palmer	Sharkey
Ball	Dillon	Hitchcock	Paris	Siems
Barrett	Doughty	Hoffman	Patton	Slater
Bashford	Dutton	Johnson	Phillips	Sloane C A
Baum	Egan	Juengst	Pickett	Sloane J J
Bedell	Ellis	Kane	Post	Smith J E
Beede	Evarts	Kelley E E	Poth	Smith J T
Boland	Fallows	Kelly G T	Redington	Snyder
Brennan E C	Farrell	Kelsey	Riedman	Sprague
Brennan J F	Finn	Kullman	Rierdon	Stoneman
Brewster	Fish	Lewis M E	Roberts	Streifler
Bryan	Fitzgerald	Lewis T D	Roche	Sullivan T P
Bulkley	Fordyce	Litchard	Rodenbeck	Sullivan W J
Burnett	Fowler	Mangin	Rogers	Ten Eyck
Cain	Gale	Martin	Rowe	Torborg
Clark	Gallagher	Mason	Russell	Tripp
Collins	Gardiner	Mazet	Sabine	Vincent
Costello	Gleason	McEwan	Sage H M	West
Cottle	Graham	McInerney	Sanders	Whipple
Cotton	Green	McKeown	Sandford	Wilson
Coughtry	Greenwood	McMillan	Sands	Wissel
Cowles	Grossman	Meister	Sawyer	Witter
Cross	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1891) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, in relation to salt water striped bass" (Int. No. 417), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	Meister	Sawyer
Allds	Cross	Hallock	Meyer	Schmid A F
Axtell	Darrison	Harburger	Miles	Schooneck
Babcock	Davis	Hays	Mohring	Sears
Baker	Dean	Heller	O'Connell	Sharkey
Ball	De Graw	Henderson	O'Connor	Slater
Barrett	Delaney	Henry	Palmer	Sloane C A
Bashford	Dillon	Hill	Paris	Sloane J J
Baum	Doughty	Hitchcock	Patton	Smith J T
Bedell	Egan	Hoffman	Phillips	Snyder
Beede	Ellis	Johnson	Pickett	Sprague
Boland	Evarts	Juengst	Post	Streifler
Brennan E C	Fancher	Kane	Poth	Sullivan T P
Brennan J F	Fish	Kelley E E	Redington	Ten Eyck
Brewster	Fitzgerald	Kelsey	Rierdon	Thorn
Brown	Fordyce	Kullman	Roberts	Torborg
Bulkley	Fowler	Lewis M E	Roche	Trainor
Burnett	Gale	Lewis T D	Rodenbeck	Tripp
Cain	Gardiner	Litchard	Rogers	Vincent
Clark	Gleason	Mangin	Rowe	West
Collier	Gould	Martin	Russell	Whipple
Collins	Graham	Mason	Sage H M	Wilson
Costello	Green	McEwan	Sage S B	Wingenfeld
Cottle	Greenwood	McInerney	Sanders	Wissel
Cotton	Grossman	McKeown	Sands	Witter
Coughtry				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1969) entitled "An act to provide for the construction of a vertical retaining wall on the east side of the Oneida feeder to the Erie canal, in the village of Oneida, Madison county, from Cedar street to the bridge over said feeder opposite the easterly end of Stone street in said village, and reappropriating therefor certain moneys appropriated by chapter 633 of the Laws of 1898" (Int. No. 1453), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the negative, were

Adler	Cross	Harburger	McMillan	Sawyer
Allds	Darrison	Hatch	Meyer	Schmid F
Apgar	Dean	Hays	Miles	Schoeneck
Axtell	De Graw	Heller	Mohring	Sears
Babcock	Delaney	Henry	Murphy	Sharkey
Baker	Dillon	Hill	O'Connell	Slater
Ball	Doughty	Hitchcock	O'Connor	Sloane C A
Barrett	Dutton	Hoffman	Palmer	Sloane J J
Bashford	Egan	Hutton	Paris	Smith J T
Baum	Ellis	Johnson	Patton	Snyder
Beede	Evarts	Juengst	Pickett	Stoneman
Boland	Fallows	Kane	Post	Streifler
Brennan E C	Fancher	Kelley E E	Poth	Sullivan T P
Brennan J F	Farrell	Kelly G T	Redington	Sullivan W J
Brown	Finn	Kelsey	Riedman	Ten Eyck
Bryan	Fish	Kullman	Rierdon	Thorn
Bulkley	Fitzgerald	Lewis M E	Roberts	Trainor
Cain	Fordyce	Lewis T D	Rodenbeck	Tripp
Clark	Fowler	Litchard	Rogers	Vincent
Collier	Gallagher	Mangin	Rowe	West
Collins	Gardiner	Martin	Russell	Whipple
Costello	Gleason	Mason	Sabine	Wilson
Cottle	Graham	Mazet	Sage H M	Wingenfeld
Cotton	Greenwood	McEwan	Sage S B	Wissel
Coughtry	Guider	McInerney	Sanders	Witter
Cowles	Hallock	McKeown	Sands	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1841) entitled "Concurrent resolution of the Senate and Assembly proposing an amendment to section 2 or Article VI of the Constitution, relating to temporary designations by the Governor of justices to the Appellate Division" (Int. No. 1328), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, in the words following:

Concurrent resolution of the Senate and Assembly, proposing an amendment to section two of article six of the constitution, relating to temporary designations by the governor of justices to the appellate division.

Whereas, the legislature at its regular session in eighteen hundred and ninety-eight duly adopted resolutions providing for an amendment to the constitution, relating to temporary designations by the governor, of justices to the appellate division; and which resolution was referred to the legislature to be chosen at the next general election of senators, and directed to be published in accordance with section one of article fourteen of the constitution; and

Whereas, such resolutions have been duly published in accordance with law and the constitution and referred to this legislature for action; therefore

Section 1. Resolved (if the assembly concur), that section two of article six of the constitution be amended so as to read as follows:

§ 2. The legislature shall divide the state into four judicial departments. The first department shall consist of the county of New York; the others shall be bounded by county lines, and be compact and equal in population as nearly as may be. Once every ten years the legislature may alter the judicial departments, but without increasing the number thereof. There shall be an appellate division of the supreme court, consisting of seven justices in the first department, and of five justices in each of the other departments. In each department four shall constitute a quorum, and the concurrence of three shall be necessary to a decision. No more than five justices shall sit in any case. From all the justices elected to the supreme court the governor shall designate those who shall constitute the appellate division in each department; and he shall designate the presiding justice thereof, who shall act as such during his term of office, and shall be a resident of the department. The other justices shall be designated for terms of five years or the unexpired portions of their respective terms of office, if less than five years. From time to time as the terms of such designations expire, or vacancies occur, he shall make new designations. A majority of the justices so designated to sit in the appellate division in each department shall be residents of the department. He may also make temporary designations in case of the absence or inability to act of any justice in the appellate division, or in case the presiding justice of any appellate division shall certify to him that one or more additional justices are needed for the speedy disposition of the business before it. Whenever the appellate division in any

department shall be unable to dispose of its business within a reasonable time, a majority of the presiding justices of the several departments at a meeting called by the presiding justice of the department in arrears may transfer any pending appeals from such department to any other department for hearing and determination. No justice of the appellate division shall exercise any of the powers of a justice of the supreme court, other than those of a justice out of court, and those pertaining to the appellate division or to the hearing and decision of motions submitted by consent of counsel. From and after the last day of December, eighteen hundred and ninety-five, the appellate division shall have the jurisdiction now exercised by the supreme court at its general terms and by the general terms of the court of common pleas for the city and county of New York, the superior court of the city of New York, the superior court of Buffalo and the city of Brooklyn, and such additional jurisdiction as may be conferred by the legislature. It shall have power to appoint and remove a reporter. The justices of the appellate division in each department shall have power to fix the times and places for holding special and trial terms therein, and to assign the justices in the departments to hold such terms; or to make rules therefor.

§ 2. Resolved (if the assembly concur), that the foregoing amendment be referred to the legislature to be chosen at the next general election of senators, and that in conformity to section one, article fourteen of the constitution, it be published three months previous to the time of such election.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hatch	Meyer	Schmid A F
Allds	Delaney	Heller	Miles	Schmid F
Apgar	Dillon	Henderson	Mohring	Schoeneck
Axtell	Doughty	Henry	Murphy	Sears
Babcock	Dutton	Hill	O'Connell	Siems
Baker	Egan	Hitchcock	O'Connor	Slater
Ball	Ellis	Hoffman	Palmer	Sloane C A
Bashford	Evarts	Hutton	Paris	Sloane J J
Baum	Fallows	Juengst	Patton	Smith J E

Bedell	Fancher	Kane	Pickett	Smith J T
Beede	Farrell	Kelley E E	Post	Snyder
Boland	Fish	Kelly G T	Poth	Sprague
Brennan E C	Fitzgerald	Kelsey	Redington	Stoneman
Brennan J F	Fordyce	Kullman	Riedman	Streifler
Brown	Fowler	Lewis M E	Roberts	Sullivan T P
Bryan	Gale	Lewis T D	Roche	Ten Eyck
Burnett	Gallagher	Litchard	Rodenbeck	Thorn
Cain	Gardiner	Mangin	Rogers	Trainor
Clark	Gleason	Martin	Russell	Tripp
Collier	Gould	Mason	Sabine	Vincent
Costello	Graham	Mazet	Sage H M	Ware
Cottle	Green	McEwan	Sage S B	Whipple
Cotton	Greenwood	McInerney	Sanders	Wilson
Cowles	Guider	McMillan	Sandford	Wingenfeld
Cross	Hallock	Meister	Sawyer	Wissel
Darrison	Harburger			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 640, Assembly reprint No. 1836) entitled "An act to amend chapter 53 of the Laws of 1893, entitled 'An act further to amend chapter 278 of the Laws of 1881, entitled An act authorizing such women and girls as are vagrants, or convicted of misdemeanors as a first offense, to be sent to the Shelter for Homeless Women in the city of Syracuse, and to change the name of such corporation'" (Rec. No. 118), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hallock	Meister	Sands
Allds	Dean	Harburger	Meyer	Sawyer
Apgar	De Graw	Hatch	Miles	Schmid A F
Axtell	Delaney	Hays	Mohring	Schmid F

Babcock	Dillon	Heller	Murphy	Schoeneck
Ball	Doughty	Henderson	O'Connell	Sharkey
Barrett	Dutton	Henry	O'Connor	Siems
Bashford	Egan	Hill	Palmer	Slater
Bedell	Ellis	Hitchcock	Paris	Sloane C A
Beede	Evarts	Hutton	Patton	Sloane J J
Boland	Fallows	Johnson	Phillips	Smith J E
Brennan J F	Fancher	Juengst	Pickett	Smith J T
Brewster	Farrell	Kane	Post	Sprague
Brown	Finn	Kelley E E	Poth	Stoneman
Bryan	Fish	Kelly G T	Redington	Streifler
Bulkley	Fitzgerald	Kelsey	Riedman	Sullivan W J
Cain	Fordyce	Kullman	Rierdon	Sullivan T P
Clark	Fowler	Lewis M E	Roberts	Thorn
Collier	Gallagher	Lewis T D	Roche	Torborg
Collins	Gardiner	Litchard	Rodenbeck	Trainor
Costello	Gleason	Mangin	Rogers	Tripp
Cottle	Gould	Martin	Rowe	Ware
Cotton	Graham	Mason	Sabine	Whipple
Coughtry	Green	Mazet	Sage H M	Wilson
Cowles	Greenwood	McInerney	Sage S B	Wingenfeld
Cross	Grossman	McKeown	Sanders	Wissel
Darrison	Guider	McMillan	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1893) entitled "An act to amend the Agricultural Law, regulating the sale and analysis of concentrated feeding stuffs" (Int. No. 1206), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
 { NOES 1 }

Those who voted in the affirmative, were

Adler	Coughtry	Grossman	Meister	Sandford
Allds	Cowles	Guider	Meyer	Sands
Apgar	Cross	Hallock	Miles	Sawyer
Axtell	Darrison	Harburger	Mohring	Schmid A F

Babcock	Davis	Hatch	Murphy	Schmid F
Baker	Dean	Hays	O'Connell	Schoeneck
Ball	Delaney	Heller	O'Connor	Sharkey
Barrett	Dillon	Henderson	Palmer	Siems
Bashford	Doughty	Henry	Paris	Slater
Baum	Dutton	Hitchcock	Patton	Sloane C A
Bedell	Egan	Hoffman	Phillips	Sloane J J
Beede	Ellis	Hutton	Pickett	Smith J E
Boland	Evarts	Johnson	Post	Smith J T
Brennan E C	Fallows	Juengst	Poth	Snyder
Brennan J F	Fancher	Kelley E E	Redington	Stoneman
Brewster	Farrell	Kelly G T	Riedman	Streifler
Brown	Finn	Kelsey	Rierdon	Sullivan W J
Bryan	Fish	Kullman	Roberts	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Rodenbeck	Thorn
Burnett	Fordyce	Lewis T D	Rogers	Trainor
Cain	Fowler	Litchard	Rowe	Vincent
Clark	Gale	Martin	Russell	West
Collier	Gallagher	Mason	Sabine	Wilson
Collins	Gardiner	Mazet	Sage H M	Wingenfeld
Costello	Gleason	McEwan	Sage S B	Wissel
Cottle	Green	McInerney	Sanders	Witter
Cotton	Greenwood	McMillan		

In the negative,

Graham

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1916) entitled "An act to amend the Greater New York Charter, in relation to setting apart a certain pier in the borough of Manhattan for recreative purposes" (Int. No. 1286), was read the third time, having been printed and upon the desks of the members in its final form at least three legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

• { AYES 137 {
 { NOES 00 {

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Sawyer
Allds	Davis	Hatch	Meyer	Schmid A F
Apgar	Dean	Hays	Mohring	Schmid F
Axtell	Delaney	Heller	Murphy	Schoeneck
Babcock	Dillon	Henderson	O'Connell	Sears
Baker	Doughty	Henry	O'Connor	Sharkey
Ball	Dutton	Hill	Palmer	Siems
Barrett	Egan	Hitchcock	Paris	Slater
Bashford	Ellis	Hoffman	Patton	Sloane C A
Baum	Evarts	Hutton	Phillips	Sloane J J
Bedell	Fallows	Johnson	Pickett	Smith J E
Beede	Farrell	Jnengst	Post	Snyder
Boland	Finn	Kelley E E	Poth	Sprague
Brennan E	CFish	Kelly G T	Redington	Stoneman
Brennan J F	Fitzgerald	Kelsey	Riedman	Streifler
Brewster	Fordyce	Kullman	Rierdon	Sullivan T P
Brown	Fowler	Lewis M E	Roberts	Sullivan W J
Bryan	Gale	Lewis T D	Roche	Ten Eyck
Bulkley	Gallagher	Litchard	Rodenbeck	Thorn
Burnett	Gardiner	Mangin	Rogers	Torborg
Cain	Gleason	Martin	Rowe	Trainor
Clark	Gould	Mason	Russell	Tripp
Collier	Graham	Mazet	Sabine	Vincent
Costello	Green	McEwan	Sage H M	West
Cottle	Greenwood	McInerney	Sage S B	Wilson
Cotton	Grossman	McKeown	Sandford	Wingenfeld
Coughtry	Guider	McMillan	Sands	Wissel
Cowles	Hallock			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1914) entitled "An act to amend the State Charities Law, in relation to the powers of the State Board of Charities" (Int. No. 1031), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Gould	McMillan	Sands
Allds	Coughtry	Green	Meister	Sawyer
Apgar	Cowles	Greenwood	Meyer	Schmid A F
Axtell	Cross	Grossman	Miles	Schmid F
Babcock	Darrison	Hallock	Mohring	Sears
Baker	Davis	Harburger	Murphy	Sharkey
Ball	Deane	Hatch	O'Connell	Siems
Barrett	De Graw	Heller	O'Connor	Slater
Bashford	Delaney	Henry	Paris	Sloane C A
Baum	Dillon	Hill	Patton	Sloane J J
Bedell	Doughty	Hoffman	Pickett	Smith J T
Beede	Dutton	Johnson	Post	Snyder
Boland	Egan	Kane	Poth	Sprague
Brennan E C	Ellis	Kelly G T	Redington	Stoneman
Brennan J F	Evarts	Kelsey	Riedman	Streifler
Brewster	Fallows	Kullman	Rierdon	Sullivan T P
Brown	Fancher	Lewis M E	Roberts	Ten Eyck
Bryan	Farrell	Lewis T D	Roche	Torborg
Bulkley	Finn	Litchard	Rogers	Trainor
Burnett	Fish	Mangin	Rowe	Vincent
Cain	Fitzgerald	Martin	Russell	West
Clark	Fordyce	Mason	Sabine	Whipple
Collier	Gale	Mazet	Sage H M	Wilson
Collins	Gallagher	McEwan	Sanders	Wissel
Costello	Gardiner	McInerney	Sandford	Witter
Cottle	Gleason	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 608, Assembly reprint No. 1894) entitled "An act to amend chapter 672 of the Laws of 1898, in relation to expenditures for the National Guard and Naval Militia" (Rec. No. 116), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Sanders
Alds	Cross	Grossman	McMillan	Sandford
Apgar	Darrison	Guider	Meister	Sands
Axtell	Davis	Hallock	Meyer	Sawyer
Babcock	Dean	Harburger	Miles	Schmid A F
Baker	De Graw	Hatch	Mohring	Schmid F
Ball	Delaney	Hays	Murphy	Sears
Barrett	Dillon	Henderson	O'Connell	Sharkey
Bashford	Dutton	Henry	O'Connor	Siems
Baum	Egan	Hill	Palmer	Slater
Bedell	Ellis	Hitchcock	Paris	Sloane C A
Beede	Evarts	Hoffman	Patton	Sloane J J
Boland	Fallows	Hutton	Phillips	Smith J E
Brennan E C	Fancher	Johnson	Pickett	Smith J T
Brennan J F	Farrell	Kane	Post	Sprague
Brewster	Finn	Kelley E E	Poth	Stoneman
Brown	Fish	Kelly G T	Redington	Sullivan T P
Bryan	Fitzgerald	Kelsey	Riedman	Sullivan W J
Burnett	Fordyce	Kullman	Rierdon	Ten Eyck
Cain	Fowler	Lewis M E	Roberts	Torborg
Clark	Gale	Lewis T D	Roche	Trainor
Collier	Gallagher	Litchard	Rodenbeck	Vincent
Collins	Gardiner	Mangin	Rowe	Ware
Costello	Gleason	Martin	Russell	West
Cottle	Gould	Mason	Sabine	Whipple
Cotton	Graham	Mazet	Sage H M	Wingenfeld
Coughtry	Green	McInerney	Sage S B	Wissel

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

The bill (No. 1890) entitled "An act making an appropriation for constructing a tile drain on the north side of the Erie canal, in the eastern part of the village of Frankfort, in the county of Herkimer" (Int. No. 346), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Hatch	Miles	Schmid A F
Allds	Dean	Hays	Mohring	Schmid F
Apgar	De Graw	Henderson	Murphy	Schoeneck
Axtell	Delaney	Henry	O'Connell	Sears
Babcock	Dillon	Hill	O'Connor	Sharkey
Baker	Doughty	Hitchcock	Palmer	Siems
Ball	Dutton	Hoffman	Paris	Slater
Bashford	Egan	Hutton	Patton	Sloane C A
Baum	Ellis	Johnson	Phillips	Sloane J J
Bedell	Evarts	Juengst	Pickett	Smith J T
Beede	Fallows	Kane	Post	Snyder
Boland	Fancher	Kelley E E	Poth	Sprague
Brennan E C	Farrell	Kelsey	Redington	Stoneman
Brennan J F	Fish	Kullman	Riedman	Streifler
Brewster	Fitzgerald	Lewis M E	Rierdon	Sullivan T P
Brown	Fordyce	Lewis T D	Roberts	Sullivan W J
Bulkley	Fowler	Litchard	Roche	Ten Eyck
Burnett	Gale	Mangin	Rodenbeck	Thorn
Cain	Gardiner	Martin	Rogers	Torborg
Clark	Gleason	Mason	Rowe	Trainor
Collier	Gould	Mazet	Russell	Tripp
Collins	Graham	McEwan	Sabine	Ware
Cottle	Greenwood	McInerney	Sage H M	West
Cotton	Grossman	McKeown	Sage S B	Wilson
Coughtry	Guider	McMillan	Sanders	Wingenfeld
Cowles	Hallock	Meister	Sands	Wissel
Cross	Harburger	Meyer	Sawyer	Witter
Darrison				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1889) entitled "An act making an appropriation for rebuilding the existing bridge over the Erie canal at Chapel street in the city of Lockport" (Int. No. 129), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Guider	McMillan	Schmid F
Allds	Coughtry	Hallock	Meister	Sears
Apgar	Cowles	Harburger	Meyer	Siems
Axtell	Cross	Hatch	Miles	Slater
Babcock	Darrison	Heller	Mohring	Sloane C A
Baker	Dean	Henderson	O'Connell	Sloane J J
Ball	De Graw	Henry	O'Connor	Smith J E
Barrett	Dillon	Hill	Palmer	Smith J T
Bashford	Doughty	Hoffman	Paris	Snyder
Baum	Dutton	Hutton	Phillips	Sprague
Bedell	Ellis	Johnson	Pickett	Stoneman
Beede	Evarts	Juengst	Poth	Sullivan T P
Boland	Fallows	Kane	Redington	Sullivan W J
Brennan EC	Fancher	Kelley E E	Riedman	Ten Eyck
Brennan J F	Finn	Kelsey	Rierdon	Thorn
Brewster	Fish	Kullman	Roche	Torborg
Brown	Fitzgerald	Lewis M E	Rodenbeck	Trainor
Bryan	Fowler	Lewis T D	Rowe	Tripp
Bulkley	Gale	Litchard	Russell	Vincent
Burnett	Gallagher	Mangin	Sabine	Ware
Cain	Gleason	Martin	Sage S B	West
Clark	Gould	Mason	Sanders	Whipple
Collier	Graham	Mazet	Sandford	Wingenfeld
Collins	Green	McInerney	Sawyer	Wissel
Costello	Greenwood	McKeown	Schmid A F	Witter
Cottle	Grossman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 319, Assembly reprint No. 1838) entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 29), having been announced for a third reading,

On motion of Mr. Allds, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1919) entitled "An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers" (Int. No. 1320), having been announced for a third reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1920) entitled "An act to amend the Code of Civil Procedure relating to practice by the father or son of a surrogate in that surrogate's court" (Int. No. 1321), having been announced for a third reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1918) entitled "An act to amend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York" (Int. No. 1319), having been announced for a third reading,

On motion of Mr. Fallows, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

The bill (No. 1917) entitled "An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products" (Int. No. 1195), having been announced for a third reading,

On motion of Mr. Bedell, said bill was recommitted to the committee on codes, retaining its place on the order of third reading.

The bill (No. 1930) entitled "An act to amend the Indian Law, in relation to the sale of gypsum on Tonawanda reservation" (Int. No. 1433), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Miles	Schmid F
Allds	Davis	Hays	Mohring	Schoeneck
Apgar	Dean	Heller	O'Connell	Sears
Axtell	Delaney	Henderson	O'Connor	Sharkey
Babcock	Dillon	Henry	Palmer	Siems
Baker	Doughty	Hill	Paris	Slater
Ball	Dutton	Hitchcock	Patton	Sloane C A
Barrett	Egan	Hoffman	Phillips	Sloane J J
Bashford	Ellis	Hutton	Pickett	Smith J T
Bedell	Evarts	Johnson	Post	Snyder
Beede	Fallows	Juengst	Poth	Sprague
Boland	Fancher	Kane	Redington	Stoneman
Brennan E C	Farrell	Kelley E E	Riedman	Streifler
Brennan J F	Finn	Kelly G T	Rierdon	Sullivan T P
Brewster	Fish	Kelsey	Roberts	Sullivan W J
Brown	Fordyce	Kullman	Roche	Ten Eyck
Bulkley	Fowler	Lewis M E	Rodenbeck	Torborg
Burnett	Gallagher	Lewis T D	Rogers	Trainor
Cain	Gardiner	Litchard	Rowe	Tripp
Clark	Gleason	Mangin	Sabine	Vincent
Collier	Gould	Martin	Sage H M	Ware
Collins	Graham	Mason	Sage S B	West
Costello	Green	McEwan	Sanders	Whipple
Cotton	Greenwood	McInerney	Sandford	Wilson
Coughtry	Grossman	McKeown	Sands	Wissel
Cowles	Hallock	Meister	Sawyer	Witter
Cross	Harburger	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1902) entitled "An act to authorize the Jamestown Co-operative Supply Company to issue non-transferable stock" (Int. No. 1426), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{	AYES	126	}
{	NOES	00	}

Those who voted in the affirmative, were

Adler	Coughtry	Hallock	Sands	Sawyer
Allds	Cross	Harburger	McKeown	Schmid A F
Apgar	Darrison	Hatch	McMillan	Schmid F
Axtell	Davis	Heller	Meyer	Schoeneck
Babcock	Dean	Henderson	Miles	Siems
Baker	De Graw	Henry	Mohring	Slater
Ball	Delaney	Hill	Murphy	Sloane C A
Barrett	Dillon	Hoffman	O'Connell	Sloane J J
Bashford	Dutton	Hutton	Palmer	Smith J E
Baum	Egan	Johnson	Patton	Smith J T
Bedell	Ellis	Juengst	Phillips	Snyder
Beede	Evarts	Kane	Pickett	Sprague
Boland	Fancher	Kelley E E	Post	Stoneman
Brennan EC	Farrell	Kelly G T	Poth	Streifer
Brewster	Finn	Kelsey	Redington	Sullivan T P
Brown	Fitzgerald	Kullman	Riedman	Ten Eyck
Bryan	Fordyce	Lewis M H	Rierdon	Torborg
Bulkley	Fowler	Lewis T D	Roche	Trainor
Burnett	Gale	Litchard	Rogers	Tripp
Cain	Gardiner	Mangin	Rowe	Ware
Clark	Gleason	Martin	Russell	West
Collier	Gould	Mason	Sabine	Whipple
Collins	Graham	Mazet	Sage H M	Wingenfeld
Costello	Greenwood	McEwan	Sage S B	Wissel
Cottle	Grossman	McInerney	Sandford	Witter
Cotton	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1874) entitled "An act to legalize the election of three assessors for a full term of two years each at the town meeting held in the town of Florence, in the county of Oneida, March 7, 1899, and to legalize assessments made in said town since the year 1890" (Int. No. 1410), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Greenwood	McKeown	Schmid F
Allds	Cowles	Grossman	McMillan	Schoeneck
Apgar	Cross	Guider	Meister	Sears
Axtell	Darrison	Harburger	Miles	Sharkey
Babcock	Davis	Hatch	Mohring	Slater
Baker	Dean	Hays	Murphy	Sloane C A
Ball	De Graw	Heller	O'Connell	Sloane J J
Barrett	Delaney	Henderson	O'Connor	Smith J E
Bashford	Dillon	Hill	Palmer	Smith J T
Baum	Doughty	Hitchcock	Patton	Snyder
Bedell	Egan	Hutton	Phillips	Sprague
Beede	Ellis	Johnson	Pickett	Stoneman
Boland	Evarts	Juengst	Poth	Streifler
Brennan E C	Fallows	Kane	Redington	Sullivan W J
Brennan J F	Fancher	Kelley E E	Rierdon	Ten Eyck
Brewster	Farrell	Kelsey	Roberts	Thorn
Brown	Finn	Kullman	Roche	Trainor
Bryan	Fish	Lewis M E	Rogers	Tripp
Bulkley	Fitzgerald	Lewis T D	Rowe	Vincent
Burnett	Fordyce	Litchard	Russell	Ware
Cain	Gale	Mangin	Sage H M	West
Clark	Gallagher	Martin	Sage S B	Whipple
Collier	Gardiner	Mason	Sanders	Wilson
Collins	Gould	Mazet	Sandford	Wingenfeld
Costello	Graham	McEwan	Sawyer	Wissel
Cottle	Green	McInerney	Schmid A F	Witter
Cotton				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1875) entitled "An act to amend the Highway Law, in relation to the adoption of the money system" (Int. No. 1411), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Hatch	Meyer	Sandford
Allds	Davis	Heller	Miles	Sands
Apgar	Dean	Henderson	Mohring	Sawyer
Axtell	De Graw	Henry	Murphy	Schmid A F
Babcock	Delaney	Hill	O'Connell	Schmid F
Baker	Dillon	Hitchcock	O'Connor	Schoeneck
Ball	Doughty	Hoffman	Palmer	Sears
Barrett	Dutton	Hutton	Paris	Sharkey
Bashford	Ellis	Johnson	Patton	Siems
Baum	Evarts	Kane	I'phillips	Sloane C A
Beede	Fallows	Kelley E E	Pickett	Smith J E
Boland	Fancher	Kelly G T	Post	Snyder
Brennan E C	Farrell	Kelsey	Poth	Sprague
Brewster	Finn	Kullman	Redington	Streifer
Brown	Fitzgerald	Lewis M E	Riedman	Sullivan T P
Bryan	Fordyce	Lewis T D	Rierdon	Ten Eyck
Bulkley	Gale	Litchard	Roberts	Thorn
Cain	Gardiner	Mangin	Roche	Torborg
Clark	Gleason	Martin	Rodenbeck	Trainor
Collier	Gould	Mason	Rogers	Vincent
Costello	Graham	Mazet	Rowe	Ware
Cottle	Greenwood	McEwan	Russell	Whipple
Cotton	Grossman	McInerney	Sabine	Wilson
Coughtry	Guider	McKeown	Sage H M	Wissel
Cowles	Hallock	McMillan	Sage S B	Witter
Cross	Harburger	Meister	Sanders	

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 667) entitled "An act to amend the Insanity Law, relating to transfers from State hospitals to Mat-teawan State Hospital and the cost of maintenance of persons confined in such hospitals" (Rec. No. 174), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree

to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Heller	Meyer	Schmid F
Allds	Davis	Henderson	Mohring	Schoeneck
Apgar	Dean	Henry	Murphy	Sharkey
Axtell	De Graw	Hill	O'Connell	Slater
Babcock	Delaney	Hitchcock	O'Connor	Sloane C A
Baker	Dillon	Hoffman	Palmer	Sloane J J
Ball	Doughty	Hutton	Patton	Smith J T
Barrett	Dutton	Juengst	Phillips	Snyder
Bashford	Egan	Kane	Pickett	Stoneman
Bedell	Ellis	Kelley E E	Post	Streifer
Beede	Evarts	Kelly G T	Poth	Sullivan T P
Boland	Fancher	Kelsey	Redington	Sullivan W J
Brennan E O	Farrell	Kullman	Riedman	Ten Eyck
Brennan J F	Finn	Lewis M E	Rierdon	Thorn
Brown	Fitzgerald	Lewis T D	Roche	Torborg
Bryan	Fordyce	Litchard	Rodenbeck	Trainor
Bulkley	Fowler	Mangin	Rogers	Tripp
Cain	Gale	Martin	Russell	Vincent
Clark	Gardiner	Mason	Sabine	Ware
Collier	Gould	Mazet	Sage H M	West
Collins	Graham	McEwan	Sage S B	Whipple
Costello	Greenwood	McInerney	Sanders	Wilson
Cottle	Grossman	McKeown	Sandford	Wingefeld
Coughtry	Guider	McMillan	Sands	Wissel
Cowles	Harburger	Meister	Schmid A F	Witter
Cross	Hays			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 474) entitled "An act to amend section 213 and section 250 of the Code of Civil Procedure relative to the publication and distribution of reports" (Rec. No. 122), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McMillan	Sawyer
Allds	Darrison	Hallock	Meister	Schmid A F
Apgar	Davis	Harburger	Meyer	Schmid F
Axtell	Dean	Hatch	Miles	Schoeneck
Babcock	De Graw	Hays	Mohring	Sears
Baker	Delaney	Heller	Murphy	Sharkey
Ball	Dillon	Henry	O'Connell	Siems
Barrett	Doughty	Hill	Palmer	Slater
Bashford	Dutton	Hitchcock	Paris	Sloane C A
Bedell	Egan	Hoffman	Patton	Sloane J J
Beede	Ellis	Hutton	Phillips	Smith J E
Boland	Evarts	Johnson	Pickett	Smith J T
Brennan E C	Fallows	Juengst	Post	Snyder
Brennan J F	Fancher	Kane	Redington	Sprague
Brewster	Farrell	Kelley E E	Riedman	Stoneman
Brown	Finn	Kelly G T	Rierdon	Streifler
Bryan	Fish	Kelsey	Roberts	Sullivan T P
Bulkley	Fitzgerald	Kullman	Roche	Sullivan W J
Burnett	Fordyce	Lewis M E	Rodenbeck	Ten Eyck
Cain	Fowler	Lewis T D	Rogers	Thorn
Clark	Gallagher	Litchard	Rowe	Torborg
Collier	Gardiner	Mangin	Russell	Trainor
Collins	Gleason	Martin	Sabine	Tripp
Costello	Gould	Mason	Sage H M	Ware
Cottle	Graham	Mazet	Sage S B	Whipple
Cotton	Green	McEwan	Sanders	Wilson
Coughtry	Greenwood	McInerney	Sandford	Wingenfeld
Cowles	Grossman	McKeown	Sands	Wissel

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 690) entitled "An act to amend section 3253 of the Code of Civil Procedure, relating to additional allowances" (Rec. No. 142), was read the third time, having been

printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Mazet	Sage H M
Allds	Cross	Grossman	McEwan	Sage S B
Apgar	Darrison	Guider	McInerney	Sandford
Axtell	Davis	Hallock	McKeown	Sawyer
Babcock	Dean	Harburger	McMillan	Schmid A F
Baker	De Graw	Hatch	Meister	Schmid F
Ball	Delaney	Hays	Meyer	Schoeneck
Barrett	Dillon	Heller	Miles	Sears
Bashford	Doughty	Henderson	Mohring	Sharkey
Baum	Dutton	Henry	O'Connell	Siems
Bedell	Ellis	Hill	O'Connor	Slater
Beede	Evarts	Hitchcock	Palmer	Smith J E
Brennan E C	Fallows	Hoffman	Paris	Snyder
Brennan J F	Fancher	Johnson	Patton	Sprague
Brewster	Farrell	Juengst	Phillips	Streifer
Brown	Finn	Kane	Pickett	Sullivan W J
Bryan	Fish	Kelley E E	Post	Ten Eyck
Bulkley	Fitzgerald	Kelly G T	Redington	Torborg
Burnett	Fordyce	Kelsey	Riedman	Trainor
Cain	Fowler	Kullman	Rierdon	Vincent
Clark	Gale	Lewis M E	Roberts	Ware
Collier	Gallagher	Lewis T D	Roche	West
Collins	Gardiner	Litchard	Rodenbeck	Wilson
Costello	Gould	Mangin	Rogers	Wingenfeld
Cotton	Graham	Martin	Rowe	Wissel
Coughtry	Green	Mason	Sabine	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 865) entitled "An act to provide for the publication and distribution of the Fisheries, Game and Forest Law, as amended" (Rec. No. 169), was read the third time, having

been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 126 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	McInerney	Sands
Allds	Coughtry	Green	McKeown	Sawyer
Apgar	Cowles	Grossman	McMillan	Schmid A F
Axtell	Cross	Guider	Meyer	Schmid F
Babcock	Darrison	Hallock	Miles	Schoeneck
Baker	Davis	Harburger	Mohring	Sears
Ball	Dean	Hays	O'Connell	Sharkey
Barrett	De Graw	Henderson	O'Connor	Siems
Bashford	Delaney	Henry	Paris	Sloane C A
Baum	Dillon	Hitchcock	Patton	Sloane J J
Bedell	Doughty	Hoffman	Pickett	Smith J T
Beede	Dutton	Hutton	Post	Sprague
Boland	Ellis	Juengst	Poth	Streifler
Brennan E	CEvarts	Kane	Redington	Sullivan T P
Brewster	Fancher	Kelley E E	Riedman	Sullivan W J
Brown	Farrell	Kelly G T	Rierdon	Ten Eyck
Bryan	Finn	Kelsey	Roberts	Torborg
Bulkley	Fish	Kullman	Roche	Trainor
Burnett	Fitzgerald	Lewis M E	Rogers	Tripp
Cain	Fordyce	Lewis T D	Rowe	Vincent
Clark	Gale	Litchard	Russell	West
Collier	Gallagher	Mangin	Sage H M	Whipple
Collins	Gardiner	Martin	Sage S B	Wingenfeld
Costello	Gleason	Mason	Sanders	Wissel
Cottle	Gould	Mazet	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent, Mr. Green called up the bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation" (Int. No. 366), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading.

On motion of Mr. Green, and by unanimous consent, said bill was made a special order on third reading for Tuesday next immediately after the reading of the journal.

By unanimous consent, Mr. Allds called up the bill (No. 311) entitled "An act to amend the Banking Law" (Int. No. 379), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

Mr. Allds moved that said bill be recommitted to the committee on banks with instructions to report the same forthwith amended as follows:

Page 6, line 15, strike out the words "the aggregate," etc., down to and including the word "ninety-nine" in line 21, and insert the following: "The aggregate amount of deposits to the credit of any society or corporation at any time shall not exceed three thousand dollars, exclusive of accrued interest, unless such deposit was made prior to May first, eighteen hundred and ninety-nine, or pursuant to an order of the court of record; nor shall the aggregate amount of deposits to the credit of any individual as executor, administrator or guardian at any time exceed three thousand dollars, exclusive of interest, on account of any one estate, unless such deposit was made prior to May first, eighteen hundred and ninety-nine, or pursuant to an order of a court of record."

Page 7, line 14, insert after the word "dollars" the word "exclusive of accrued interest credited upon the deposit."

Amend the title by adding the words "in relation to restrictions on loans and the aggregate amount of deposits."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. McEwan, from the committee on banks, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations:

"An act to provide for a safe repository for mechanics' tools" (No. 1971, Int. No. 382.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Norman Tryon and other alleged employes of the State, upon public works, for unpaid bal-

ances alleged to be due for services rendered within the last six years, and to render judgment therefor." (No. 1881, Int. No. 1417.)

"An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post offices and other government offices in the cities of this State, and ceding judisdiction over such land." (No. 1895, Int. No. 1419.)

"An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation." (No. 931, Int. No. 825.)

"An act to provide for an additional cottage for the New York State School for the Blind at Batavia and making an appropriation therefor." (No. 1248, Int. No. 1059.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur F. Barker against the State of New York for compensation to which it is alleged said claimant is entitled for services rendered and performed for and on behalf of the State of New York and to render judgment therefor." (No. 2030, Int. No. 1490.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1850) entitled "An act to amend the Poor Law, in relation to relief of soldiers by Grand Army posts" (Int. No. 1385), reported the same with the following recommendations:

Page 2, line 19, after the word "now" insert a comma, and after the word "be" also insert a comma.

Same page, line 24, add the letter "s" to the word "amount."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1689) entitled "An act for the protection of commerce on the seaboard and inland waters of this State" (Int. No. 1290), reported the same with the following recommendations:

Page 9, after line 20 insert a new section to read as follows:

"§ 9. This act shall take effect immediately."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1820) entitled "An act to amend an act entitled 'An act in relation to labor, constituting chapter 32 of the general laws' (Int. No. 1377), reported the same with the following recommendations:

Page 1, line 3, after the words "eighty-four of" insert the following words: "article twelve of chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled 'An act in relation to labor, constituting.'"

Same page, line 4, after the word "laws" insert quotation marks.

Page 2, line 1, after the word "state" insert period.

Page 3, line 2, after the word "registered" insert comma.

Amend the title so as to read as follows:

"An act to amend chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled 'An act in relation to labor, constituting chapter thirty-two of the general laws,' relative to master and journeyman horseshoers."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1343) entitled "An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication" (Int. No. 1103), reported the same with the following recommendations:

Page 1, line 6, strike out colon and insert semicolon.

Same page, line 7, strike out colon and insert semicolon.

Page 2, line 5, strike out colon and insert semicolon.

Same page, line 12, strike out colon and insert semicolon.

Same page, line 13, strike out colon and insert semicolon.

Same page, line 19, strike out colon and insert semicolon.

Same page, line 21, strike out colon and insert semicolon.

Same page, line 23, after the word "state" insert comma.

Same page, line 24, strike out colon and insert semicolon.

Page 3, line 1, strike out colon and insert semicolon.

Same page, line 2, after the word "if" insert the word "the."

Same page, line 14, after the word "complaint" insert comma.
 Same page, line 17, after the word "forty-four" insert comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1972) entitled "An act to amend section 52 of the Banking Law relative to stockholders, as amended by chapter 441 of the Laws of 1897" (Int. No. 516), reported the same with the following recommendations:

Page 1, line 2, after the word "nine" insert the following words: "of the laws of eighteen hundred and ninety-two;" also strike out the word "and."

Page 2, line 19, after the word "notice" insert comma.

Same page, line 21, after the word "section" insert comma.

Amend the title so as to read as follows:

"An act to amend the banking law relative to the prosecution of actions against stockholders."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1517) entitled "An act to amend section 59a of the Railroad Law, relative to extensions of street surface railroads" (Int. No. 712), reported the same with the following recommendations:

Page 1, line 1, after the word "of" insert the following words: "chapter five hundred and sixty-five of the laws of eighteen hundred and ninety, entitled 'An act in relation to railroads, constituting chapter thirty-nine of the general laws,' as inserted in said chapter five hundred and sixty-five, by chapter six hundred and forty-three of the laws of eighteen hundred and ninety-eight;" also strike out the words "the railroad law, relative to."

Same page, line 2, strike out the words "extensions of street surface railroads."

Page 2, line 22, after the word "certificate" insert comma.

Same page, line 26, after the word "weeks" insert comma.

Amend the title so as to read as follows:

"An act to amend the railroad law, relative to extensions of street surface railroads."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1929) entitled "An act to amend chapter 115 of the Laws of 1898, entitled 'An act to provide for the improvement of the public highways'" (Int. No. 1432), reported the same with the following recommendations:

Page 1, line 5, after the word "thereof" strike out comma.

Same page, line 6, after the word "must" insert comma.

Same page, line 8, after the word "county" insert comma.

Amend the title so as to read as follows:

"An act to amend chapter one hundred and fifteen of the laws of eighteen hundred and ninety-eight, entitled 'An act to provide for the improvement of the public highways,' enlarging the powers of the board of supervisors relative to such improvements."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1608) entitled "An act in relation to the drainage of agricultural lands" (Int. No. 1264), reported the same with the following recommendations:

Page 1, line 3, after the word "other" insert comma.

Same page, line 8, after the word "lands" insert comma.

Page 2, line 2, after the word "up" insert comma.

Same page, line 4, after the word "exists" insert comma.

Same page, line 5, after the word "up" insert comma.

Same page, line 9, after the word "ditch" insert comma.

Same page, line 12, after the word "obstruction" insert comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was

referred the bill (No. 445), entitled "An act to authorize the selection, location and appropriation of certain lands in the town of Dix, in the county of Schuyler and State of New York for a State park or reservation and to preserve the scenery of what is known as the 'Watkins Glen' and to make it a place of public resort and pleasure" (Int. No. 426), reported the same with the following recommendations:

Page 1, line 3, after the word "senate" insert comma.

Same page, line 6, strike out comma and insert in the place thereof a semicolon.

Page 2, line 12, after the word "Schuyler" insert comma; also strike out the words "and state of New York."

Same page, line 17, after the word "made" insert comma.

Same page, line 24, before the word "in" insert comma; also after the word "Schuyler" insert comma and strike out the words "state of New York."

Page 3, line 5, after the word "lands" insert comma; also after the word "maps" insert comma.

Same page, line 6, after the word "thereof" insert comma.

Same page, line 8, after the word "take" insert comma.

Same page, line 9, after the word "lands" insert comma.

Same page, line 26, after the word "contract" insert comma.

Page 4, line 8, after the word "as" insert the letter "a."

Same page, line 21, before the word "rules" insert comma.

Same page, line 23, after the word "superintendent" insert comma.

Same page, line 25, after the word "whom" insert comma.

Page 5, line 11, after the word "shall" insert comma.

Same page, line 20, after the word "year" insert comma.

Same page, line 21, before the words "and a statement" insert comma.

Same page, line 22, strike out the word "next" and insert in place thereof the word "last."

Page 6, line 4, after the word "expenditures" insert comma.

Same page, line 8, after the word "state" insert comma.

Same page, line 9, after the word "comptroller" insert comma.

Amend the title so as to read as follows:

"An act to authorize the selection, location and appropriation of certain lands in the town of Dix, in the county of Schuyler, for a state park or reservation, and to preserve the scenery of

what is known as the 'Watkins Glen' and to make it a place of public resort and pleasure."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the concurrent resolution (No. 1901) entitled "Concurrent resolution of the Senate and Assembly proposing amendments to articles 3, section 18, of the Constitution, relating to exemptions of real and personal property from taxation" (Int. No. 1425), reported the same with the following recommendations:

Strike out all of page 1 after the title and insert the following:

"Section 1. Resolved (if the senate concur), That section eighteen of article three of the constitution be amended to read as follows:

§ 18. The legislature shall not pass a private or local bill in any of the following cases:

Changing the names of persons.

Laying out, opening, altering, working or discontinuing roads, highways or alleys, or for draining swamps or other low lands.

Locating or changing county seats.

Providing for changes of venue in civil or criminal cases.

Incorporated villages.

Providing for election of members of boards of supervisors.

Selecting, drawing, summoning or empaneling grand or petit jurors.

Regulating the rate of interest on money.

The opening and conducting of elections or designating places of voting.

Creating, increasing or decreasing fees, percentage or allowances of public officers, during the term for which said officers are elected or appointed.

Granting to any corporation, association or individual the right to lay down railroad tracks.

Granting to any private corporation, association or individual any exclusive privilege, immunity or franchise whatever.

Granting to any person, association, firm or corporation, an exemption from taxation on real or personal property.

Providing for building bridges and chartering companies for such purposes, except on the Hudson river below Waterford, and on the East river, or over the waters forming a part of the boundaries of the state.

The legislature shall pass general laws providing for the cases enumerated in this section, and for all other cases which in its judgment may be provided for by general laws. But no law shall authorize the construction or operation of a street railroad except upon the condition that the consent of the owners of one-half in value of the property bounded on, and the consent also of the local authorities having the control of that portion of a street or highway upon which it is proposed to construct or operate such railroad be first obtained, or in case the consent of such property owners cannot be obtained, the appellate division of the supreme court, in the department in which it is proposed to be constructed, may, upon application, appoint three commissioners who shall determine, after a hearing of all parties interested, whether such railroad ought to be constructed or operated, and their determination, confirmed by the court, may be taken in lieu of the consent of the property owners.

Amend the title to read as follows:

“Concurrent resolution of the senate and assembly proposing an amendment to section eighteen of article three of the constitution, relating to exemptions of real and personal property from taxation.”

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reports as correctly printed and engrossed the bills entitled as follows:

“An act to amend chapter 564 of the Laws of 1898, entitled ‘An act in relation to unpaid taxes, water rates and rents in that part of the city of New York constituting the city of Long Island City prior to January 1, 1898,’ in relation to unpaid taxes in that part of the city of New York, constituting the city of Long Island City and the towns of Flushing, Jamaica and a part of the town of Hempstead, prior to January 1, 1898. (No. 1996, Int. No. 1312.)

“An act to amend chapter 1018 of the Laws of 1895, entitled ‘An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution,’ relative to the acquisition of additional lands, and the employ-

ment of additional assistants to carry out the provisions of this act." (No. 1990, Int. No. 1250.)

"An act to amend chapter 941 of the Laws of 1896, entitled 'An act to incorporate the Inter-State Mortgage Debenture Company,' in relation to the powers thereof." (No. 1992, Int. No. 1021.)

"An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor." (No. 1970, Int. No. 1333.)

"An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the City of New York (The German Polyclinic of the city of New York) from taxation,' relative to the value of the property so exempted." (No. 1998, Int. No. 464.)

"An act to amend chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws,' relative to publishing notice of elections." (No. 1993, Int. No. 236.)

"An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation." (No. 1991, Int. No. 126.)

"An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relative to coroners." (No. 1997, Int. No. 1032.)

"An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the 14th day of August, 1851, and also a grant of lands under the water of the Harlem river made by the commissioners of the land office to Henry F. Durant on the 10th day of January, 1869, and to release any interest of the State in and to the lands covered by said grants." (No. 1994, Rec. No. 68.)

"An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter." (No. 1644, Int. No. 559.)

"An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for

post offices and other government offices in the cities of this State, and ceding jurisdiction over such lands." (No. 1895, Int. No. 1419.)

"An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation." (No. 931, Int. No. 85.)

"An act to provide for an additional cottage for the New York State School for the Blind at Batavia and making an appropriation therefor." (No. 1248, Int. No. 1059.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Norman Tryon and other alleged employes of the State, upon public works, for unpaid balances alleged to be due for services rendered within the last six years, and to render judgment therefor." (No. 1881, Int. No. 1417.)

"An act to provide for a safe repository for mechanics' tools." (No. 1971, Int. No. 382.)

The Governor, by the hand of his secretary, presented a message in words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 3, 1899.

To the Assembly:

Assembly bill No. 1599, introduced by Mr. T. P. Sullivan, entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor,' constituting chapter 32 of the general laws, and the several acts amendatory thereof and supplemental thereto," is herewith returned without approval.

This bill relates to the same subject as Assembly bill No. 1163, introduced by Mr. Costello, entitled "An act to amend the Labor Law relating to licenses for the manufacture of certain articles in tenements," (which is now chapter 191 of the Laws of 1899), both bills coming to me at the same time. The Costello bill, however, is a carefully thought-out and most important piece of remedial and constructive legislation. It embraces other subjects not included in the Sullivan bill, and it also remodels, in far more effective form, the two sections of the old act which this bill attempts to remodel. To sign this bill, now that the Costello bill has become a law, would mean an act of positive retrogression in the effort to abolish sweat shops; and if signed before

the Costello bill became a law, its provisions would of course have been superseded by those of the latter. The Costello bill does not go as far as I should like to see it go, but it does take an enormous stride in advance, representing the first really effective bit of legislation against the sweatshops which has been enacted in this State; it is in line with and to a large extent carries out one of the suggestions in my message to the Legislature upon which I dwelt with particular emphasis. The same may be said of the other bill introduced by Mr. Costello, Assembly bill No. 1615, entitled "An act to amend the Labor Law, relating to the duties of the factory inspector and the enforcement of the provisions of such law," which has just become a law and is chapter 192 of the Laws of the State of New York. This carries out another of the suggestions contained in my message and marks a great advance in the effort to make effective the enforcement of the Factory Inspection Law.

The particular bill under consideration, however, though doubtless well intentioned, would have accomplished little or nothing even had neither of the other laws been passed; and if enacted into law now, it would, as I have already said, be an act of retrogression (aside from the question of its possible unconstitutionality, which I need not now discuss.) On no subject is it more important to have wise and sound legislation than where the interests of labor are concerned. When such legislation is good, it probably accomplishes more real benefit to the community than can be accomplished by any other kind of law; but crude and hasty labor legislation either wholly fails to accomplish anything—being so drawn as to be ineffective,—or else works harm instead of good to the very people supposed to be benefited. In the two Costello bills, the Legislature has put through measures which are certain to accomplish good of the most far-reaching kind, and which mark a long stride forward in our treatment of labor questions, although I have little doubt as regards the sweatshop bill that it will have to be amended in the line of rendering it more stringent and more certain of enforcement. But the present bill comes under the category of measures which are loosely drawn and are pushed without serious consideration of the object sought to be attained. Had such serious consideration been given the subject, the futility of passing a measure which in part nullified the Costello bill, at the very time the Costello bill was on its passage, would have been evident.

THEODORE ROOSEVELT.

On motion of Mr. T. P. Sullivan, said bill, together with the accompanying message, was laid upon the table.

A communication from the Governor was received in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, March 31, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill (No. 575) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the several counties containing towns, villages or cities bonded to aid in the construction of any railroad passing through such towns, villages or cities, on account of the payment to the State of the State taxes collected from such railroads within such bonded towns, villages or cities." (Int. No. 541.)

THEODORE ROOSEVELT.

Mr. Fish moved to reconsider the vote by which said bill was passed.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, three-fifths being present.

{ AYES 140 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	McKeown	Sands
Alds	Darrison	Harburger	McMillan	Sawyer
Apgar	Davis	Hatch	Meister	Schmid A F
Axtell	Dean	Hays	Meyer	Schoeneck
Babcock	De Graw	Heller	Miles	Sears
Baker	Delaney	Henderson	Mohring	Siems
Ball	Dillon	Henry	Murphy	Slater
Barrett	Doughty	Hill	O'Connell	Sloane C A
Bashford	Dutton	Hitchcock	O'Connor	Sloane J J
Bedell	Egan	Hoffman	Paris	Smith J T
Beede	Ellis	Hutton	Patton	Snyder
Boland	Evarts	Johnson	Phillips	Stoneman
Brennan E C	Fallows	Juengst	Pickett	Streifer
Brennan J F	Fancher	Kane	Post	Sullivan T P
Brewster	Finn	Kelley E E	Redington	Ten Eyck
Brown	Fitzgerald	Kelly G T	Riedman	Thorn
Bryan	Fowler	Kelsey	Rierdon	Torborg

Bulkley	Gale	Kullman	Roberts	Trainor
Burnett	Gallagher	Lewis M E	Roche	Tripp
Clark	Gardiner	Lewis T D	Rodenbeck	Vincent
Collier	Gleason	Litchard	Rogers	Ware
Collins	Gould	Mangin	Russell	West
Costello	Graham	Martin	Sabine	Whipple
Cottle	Green	Mason	Sage II M	Wilson
Cotton	Greenwood	Mazet	Sage S B	Wingenfeld
Coughtry	Grossman	McEwan	Sanders	Wissel
Cowles	Guider	McInerney	Sandford	Witter

Mr. Fish moved that said bill be recommitted to the committee on claims, with instructions to report the same forthwith amended as follows:

Page 2, line 8, strike out the word "with" and insert the word "without."

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. Mason, from the committee on claims, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly-concur), That a respectful message be sent to the Governor requesting the return of the Senate bill (No. 350) entitled "An act to amend section 79 of chapter 751 of the Laws of 1895, entitled 'An act to revise and consolidate the several acts in relation to the city of Hudson; to revise the charter of said city; and to establish a city court therein and define its jurisdiction and powers'" (Rec. No. 111), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of transmitting to the city, the bill (No. 1255) entitled "An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor

of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon" (Int. No. 479), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the concurrent resolution recalling from the Governor, for the purposes of amendment, the bill (No. 1177) entitled "An act to make water rents a lien on real estate in the city of Kingston and to provide for the better collection thereof" (Int. No. 1008), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

The Senate returned the bill (No. 456, Assembly reprint No. 1027) entitled "An act to amend section 409 of the Penal Code, relative to dangerous weapons" (Int. No. 436), with a message that they have concurred in the passage of the same, with the following amendments:

Page 2, line 3, strike out the word "eighteen" and insert the word "twelve."

Same page, line 4, strike out the word "immediately" and add the words "September first eighteen hundred and ninety-nine."

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Assembly, requesting the return of Assembly bill, charter of said city relative to city funds, unpaid audits, over-section 409 of the Penal Code, relative to dangerous weapons" (Int. No. 436), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills with a message that they have concurred in the passage of the same:

"An act to further amend chapter 26 of the Laws of 1885, en-

titled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city relative to city funds, unpaid audits, overdrafts and deficits.' " (No. 1637, Int. No. 982.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

"An act to amend chapter 467 of the Laws of 1892, entitled 'An act relating to St. Savior's Sanitarium, and for the care of inebriate women.'" (No. 1192, Int. No. 214; Senate reprint No. 1124.)

Ordered, That the Clerk deliver said bill to the Governor.

"An act to authorize the city of Syracuse to levy a tax to provide the means to defray the cost of completing a map or maps of said city." (No. 688, Int. No. 642; Senate reprint No. 894.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Syracuse.

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the claim of Henry E. Tremain and Mason W. Tyler, composing the copartnership of Tremain and Tyler, against the State for damages alleged to have been sustained by them, and to render judgment therefor." (No. 891, Int. No. 803; Senate reprint No. 1026.)

"An act to amend the Fisheries, Game and Forest Law, in relation to grouse and other birds in Rensselaer county." (No. 653, Int. No. 605; Senate reprint No. 1017.)

"An act for the protection of certain fur-bearing animals in the counties of Cattaraugus, Oneida, Madison, Otsego, Wayne, Cayuga, Livingston, Jefferson, Chemung, Chenango and Wyoming." (No. 703, Int. No. 254; Senate reprint No. 1020.)

"An act to amend the Code of Criminal Procedure, in relation to the assignment of counsel." (No. 697, Int. No. 14; Senate reprint No. 924.)

Ordered, That the Clerk deliver said bills to the governor.

A communication was received from Hon. John J. Kennedy, acting mayor of the city of Buffalo, returning Assembly bill, No. 1217, entitled "An act to amend chapter 105 of the Laws of

1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to the firemen's relief and pension fund" (Int. No. 1034), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Oredered, That the Clerk deliver said bill to the Governor.

Mr. Snyder offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill, No. 1177, entitled "An act to make water rents a lien on real estate in the city of Kingston, and to provide for the better collection thereof" (Int. No. 1008), for the purposes of transmitting the same to the mayor of the city of Kingston.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Russell offered for the consideration of the House the resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly, of Assembly bill, No. 1255, entitled "An act to confirm, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the proceedings had with reference thereto and the issue of bonds thereon" (Int. No. 479), for the purposes of transmitting the same to the city.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Greenwood gave notice that on Tuesday, April 4th, he would call up the Senate bill, No. 845, entitled "An act to amend 'An act in relation to the traffic in liquors and for the taxation and regulation of the same, and to provide for local option, constituting chapter 29 of the general laws,' being chapter 112 of the Laws of 1896, and the various acts amendatory thereof and

supplementary thereto" (Rec. No. 158), the same having been laid aside on the order of third reading.

By unanimous consent,

Mr. Kelsey introduced a bill entitled "An act amending the Consolidated School Law in relation to contracts for the employment of teachers by trustees of school districts" (Int. No. 1516), which was read the first time and referred to the committee on public education.

By unanimous consent,

Mr. Davis introduced a bill entitled "An act to amend section 812 of the Code of Civil Procedure, relating to bonds and undertakings" (Int. No. 1517), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. H. M. Sage introduced a bill entitled "An act to amend the Fisheries, Game and Forest Law, relating to hunting deer in certain counties" (Int. No. 1521), which was read the first time.

On motion of Mr. H. M. Sage, and by unanimous consent, said bill was read the second time and ordered to a third reading and referred to the committee on fisheries and game.

By unanimous consent,

Mr. Kullman introduced a bill entitled "An act to amend section 1030 of the Code of Civil Procedure, in relation to exemption of trial jurors" (Int. No. 1520), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. J. J. Sloane introduced a bill entitled "An act to amend chapter 36 of the Laws of 1873, entitled 'An act to provide for a supply of water in the city of Yonkers,' in relation to the rate of water rents" (Int. No. 1519), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. G. T. Kelly introduced a bill entitled "An act to amend section 61, article 6, chapter 566, Laws of 1890, being an act in relation to transportation corporations, excepting railroads, con-

stituting chapter 40 of the general laws" (Int. No. 1515), which was read the first time and referred to the committee on electricity, gas and water supply.

By unanimous consent,

Mr. Beede introduced a bill entitled "An act to amend the Fisheries, Game and Forest Law, relating to use of dogs in hunting deer on Long Island" (Int. No. 1518), which was read the first time and referred to the committee on fisheries and game.

On motion of Mr. Allds, the House adjourned.

TUESDAY, APRIL 4, 1899.

The House met pursuant to adjournment.

Prayer by Rev. A. Randolph B. Hegeman.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with, and the same was approved.

The Senate sent for concurrence the following entitled bills:

"An act to amend the Fisheries, Game and Forest Law, in relation to sale of grouse, woodcock and trout in Adirondack counties" (No. 978, Rec. No. 300), which was read the first time and referred to the committee on fisheries and game.

"An act to amend the Domestic Relations Law, in relation to adoption" (No. 860, Rec. No. 301), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 700 of the Laws of 1895, entitled 'An act to extend the time for the commencement of construction or completion of railroads other than street surface railroads'" (No. 903, Rec. No. 304), which was read the first time and referred to the committee on railroads.

"An act relating to street cars in the city of Buffalo" (No. 1104, Rec. No. 305), which was read the first time and referred to the committee on railroads.

"An act in relation to the heating of passenger cars operated on

street surface railroads in the city of Buffalo " (No. 512, Rec. No. 306), which was read the first time and referred to the committee on railroads.

"An act to amend the Election Law, in relation to the use of voting machines" (No. 1154, Rec. No. 307), which was read the first time and referred to the committee on the judiciary.

"An act to amend the Election Law, in relation to the expense of ballots and stationery" (No. 1165, Rec. No. 308), which was read the first time and referred to the committee on the judiciary.

"An act to amend chapter 565 of the Laws of 1890, entitled 'An act in relation to railroads, constituting chapter 39 of the general laws,' and the acts amendatory thereof, relative to unclaimed freight and baggage" (No. 199, Rec. No. 309), which was read the first time and referred to the committee on railroads.

"An act to provide for the establishment of a State electric plant, and making an appropriation therefor" (No. 780, Rec. No. 310), which was read the first time and referred to the committee on ways and means.

"An act empowering and authorizing the Commissioner of Agriculture to investigate food adulterations and adulterated foods and making an appropriation therefor" (No. 992, Rec. No. 311), which was read the first time and referred to the committee on ways and means.

"An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (No. 1050, Rec. No. 312), which was read the first time and referred to the committee on ways and means.

"An act for the relief of the Eagle Avenue German Baptist Church, in the Twenty-third ward of the city of New York, in the borough of the Bronx, in said city" (No. 910, Rec. No. 313), which was read the first time and referred to the committee on affairs of cities.

"An act to authorize the board of revision of assessments in the city of New York to determine and award damages for the changing of the original grade of streets and avenues affecting certain property located in the borough of the Bronx in the city of New

York" (No. 869, Rec. No. 314), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings, suffered by reason of change of grade of streets and avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York or otherwise,' as amended by chapter 567 of the Laws of 1894, entitled 'An act to amend chapter 537 of the Laws of 1893, entitled An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York or otherwise,' relative to damages caused by change of grade in the borough of the Bronx (formerly the Twenty-third and Twenty-fourth wards), of the city of New York, by permitting the filing of certain claims, under the provisions of said chapter 537 of the Laws of 1893, as amended by chapter 567 of the Laws of 1894" (No. 1000, Rec. No. 315), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 537 of the Laws of 1893, entitled 'An act providing for ascertaining and paying the amount of damages to lands and buildings, suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York or otherwise,' as amended by chapter 567 of the Laws of 1894, entitled 'An act to amend chapter 537 of the Laws of 1893, entitled An act providing for ascertaining and paying the amount of damages to lands and buildings suffered by reason of changes of grade of streets or avenues, made pursuant to chapter 721 of the Laws of 1887, providing for the depression of railroad tracks in the Twenty-third and Twenty-fourth wards in the city of New York, or otherwise,' relative to damages caused by change of

grade in the borough of the Bronx (formerly the Twenty-third and Twenty-fourth wards), of the city of New York, by permitting the filing of certain claims, under the provisions of said chapter 537 of the Laws of 1893, as amended by chapter 567 of the Laws of 1894 " (No. 1001, Rec. No. 316), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 161, article 5, chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws' " (No. 1070, Rec. No. 317), which was read the first time and referred to the committee on affairs of villages.

"An act in relation to the civil service of the State of New York and the cities and civil divisions thereof " (No. 1149, Rec. No. 318), which was read the first time and referred to the committee on the judiciary.

"An act to amend section 518 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the aqueduct commissioners " (No. 1212, Rec. No. 331), which was read the first time.

On motion of Mr. Slater, said bill was referred to the committee on revision to compare with the Assembly bill No. 2080, Int. No. 1440, same title and subject, now on the order of second reading, and report if the same are identical, and if found identical, that said Senate bill be substituted for said Assembly bill.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Kelsey, Int. No. 1446, entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims " (No. 1943), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Collier, Int. No. 343, en-

titled "An act to amend section 1151 of the Code of Civil Procedure relating to the additional compensation of certain justices of the Supreme Court" (No. 375), reported in favor of the passage of the same, with the following amendments:

Page 2, line 5, strike out the words "and directed."

Same page, line 9, strike out the period after the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. McMillan, Int. No. 675, entitled "An act to reappropriate money for the construction of a State armory in the city of Schenectady, as provided by chapter 771 of the Laws of 1897, and making a further appropriation therefor" (No. 740), reported in favor of the passage of the same, with the following amendment:

Page 2, line 9, change period to comma at the end of line and insert the following: "no part of the money hereby appropriated shall be available, except for surveys and plans, until after the execution of a contract by responsible parties with the comptroller of the state of New York for the completion of said work at a cost within said appropriation added to the appropriations heretofore made for said purpose and the filing of said contract with the said comptroller."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was recommitted the bill introduced by Mr. Collier, Int. No. 784, entitled "An act establishing a nautical school in and for the State of New York, and making an appropriation therefor" (No. 2041), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, strike out the words "the passage of this act" and insert the words "this act shall take effect."

Page 2, line 3, strike out the word "passage" and insert the words "taking effect."

Same page, line 6, after the word "if" insert the words "thirty-five."

Same page, line 12, strike out the words "passage of" and insert the word "time," also after the word "act" insert the words "shall take effect."

Page 5, line 9, change period to comma after the word "navy," and add the following: "whenever the United States government may spare the services of such officers to the state."

Page 6, line 7, strike out the word "immediately" and insert the words "January first, nineteen hundred."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Adler, Int. No. 651, entitled "An act to exempt from taxation the real estate of the Educational Alliance and of the University Settlement Society of New York (incorporated)" (No. 716), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Adler, Int. No. 599, entitled "An act for the relief of the 'Isabella Heimath'" (No. 647), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Cotton, Int. No. 487, entitled "An act to exempt from taxation the property of certain medical societies situated in cities of the first class" (No. 514), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Fallows, Int. No. 135, en-

titled "An act to exempt the real estate of the 'Colored Home and Hospital' in The City of New York from taxation, assessments and water rates" (No. 135), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. C. A. Sloane, Int. No. 1354, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers" (No. 1962), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Collier, Int. No. 1488, entitled "An act in relation to the making up of the regular general panel of trial jurors in counties having a special commissioner of jurors" (No. 2028), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendment:

Page 4, line 10, strike out the word "immediately" and insert the words "July first, eighteen hundred and ninety-nine."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading and referred to the committee on revision.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Rogers, Int. No. 971, entitled "An act to amend the Railroad Law, constituting chapter 39 of the general laws, in relation to enclosed vestibule cars for the protection of employees on street surface railways" (No. 2042), reported the same, with the following amendments, and requests that said bill be recommitted to said committee:

Page 1, line 7, strike out the word "November" and insert the word "December."

Page 2, line 2, after the word "air" insert the words "except in cities of the first class."

Same page, line 4, after the word "passengers" strike out down to and including the word "may" on line 5, and insert the words "during the months of December, January, February and March."

Same page, line 6, strike out the word "enclosed."

Same page, line 7, beginning with the words "so constructed" strike out all down to and including the word "car" in line 10.

LOUIS BEDELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Litchard, from the committee on agriculture, to which was recommitted the bill introduced by Mr. Babcock, Int. No. 1160, entitled "An act to amend the Agricultural Law, relating to the manufacture and use of coloring matter in food products" (No. 1427), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

Page 1, line 8, after the word "any" insert the word "poisonous."

Same page, line 9, after the word "kind" strike out the balance of line and also line 10.

Page 2, line 1, strike out the entire line and the word "tar" on line 2.

Same page, line 2, after the word "any" add the word "poisonous" and strike out the word "so."

Same page, line 3, strike out the words "made or manufactured in any food product."

Same page, line 6, after the word "such" insert the word "poisonous" and strike out all after the word "matter."

Same page, strike out all of lines 7, 8, 9 and 10 and the word "products" on line 11.

Same page, line 11, strike out the words "commissioner of agriculture" and insert instead thereof the words "state board of health."

A. W. LITCHARD,
Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Miles, from the committee on charitable and religious socie-

ties, to which was recommitted the bill introduced by Mr. Rodenbeck, Int. No. 1360, entitled "An act to amend the Benevolent Orders Law, relating to the Benevolent and Protective Order of Elks" (No. 2050), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Miles, from the committee on charitable and religious societies, to which was referred the Senate bill introduced by Mr. G. A. Davis, Rec. No. 229, entitled "An act to incorporate Delancey Divinity School" (No. 1010), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey in the chair.

Mr. Maher offered for the consideration of the House a resolution, in the words following:

Resolved, That the committee on affairs of cities be discharged from the further consideration of the bill (No. 798) entitled "An act to provide that eight hours shall constitute a legal day's work for members of the police force in a city of the first class." (Int. No. 733.)

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Allds	Davis	Harburger	Meyer	Schmid A F
Apgar	De Graw	Hatch	Miles	Schmid F
Axtell	Dillon	Hays	Mohring	Schoeneck
Babcock	Doughty	Heller	Murphy	Sears
Baker	Dutton	Henderson	O'Connell	Sharkey
Ball	Egan	Henry	O'Connor	Slater
Barrett	Ellis	Hill	Palmer	Sloane J J
Bashford	Evarts	Hoffman	Paris	Smith J E
Baum	Fallows	Johnson	Patton	Smith J T
Bedell	Fancher	Juengst	Phillips	Snyder
Beede	Farrell	Kane	Poth	Sprague
Boland	Finn	Kelley E E	Redington	Stoneman
Brennan J F	Fish	Kelly G T	Riedman	Streifer
Brewster	Fitzgerald	Kelsey	Rierdon	Sullivan T P
Bryan	Fordyce	Kullman	Roberts	Sullivan W J

Burnett	Fowler	Lewis M E	Roche	Ten Eyck
Cain	Gale	Lewis T D	Rodenbeck	Thorn
Clark	Gallagher	Litchard	Rogers	Torborg
Collier	Gardiner	Maher	Rowe	Trainor
Collins	Gleason	Martin	Russell	Tripp
Costello	Gould	Mason	Sabine	Vincent
Cottle	Graham	Mazet	Sage H M	Ware
Cotton	Green	McEwan	Sage S B	Whipple
Coughtry	Greenwood	McInerney	Sanders	Wilson
Cowles	Grossman	McMillan	Sands	Wissel
Cross	Guider	Meister	Sawyer	Witter
Darrison				

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Mr. E. C. Brennan, who, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker put the question whether the House would agree to said resolution of Mr. Maher, and it was determined in the negative.

{ AYES 60 }
{ NOES 77 }

Those who voted in the affirmative, were

Ball	Farrell	Hoffman	O'Connell	Schmid F
Barrett	Finn	Hutton	O'Connor	Schoeneck
Bashford	Fitzgerald	Juengst	Palmer	Sharkey
Baum	Gale	Kane	Phillips	Siems
Boland	Gallagher	Kelly G T	Poth	Sloane J J
Brennan J F	Gould	Kullman	Redington	Smith J E
Cain	Green	Maher	Riedman	Streifler
Collins	Grossman	McInerney	Rierdon	Sullivan T P
Cotton	Guider	McKeown	Roche	Sullivan W J
Dean	Harburger	Meister	Sage S B	Torborg
Dillon	Heller	Meyer	Sanders	Trainor
Egan	Henderson	Mohring	Schmid A F	Wissel

Those who voted in the negative, were

Allds	Cowles	Graham	McEwan	Sears
Apgar	Cross	Greenwood	McMillan	Slater

Axtell	Darrison	Hatch	Miles	Smith J T
Babcock	Davis	Hays	Murphy	Snyder
Baker	De Graw	Henry	Paris	Sprague
Bedell	Doughty	Hill	Patton	Stoneman
Beede	Dutton	Johnson	Roberts	Ten Eyck
Brennan E	Cellis	Kelley E E	Rodenbeck	Thorn
Brewster	Evarts	Kelsey	Rogers	Tripp
Bryan	Fallows	Lewis M E	Rowe	Vincent
Burnett	Fancher	Lewis T D	Russell	West
Clark	Fish	Litchard	Sage H M	Whipple
Collier	Fordyce	Martin	Sandford	Wilson
Costello	Fowler	Mason	Sands	Witter
Cottle	Gardiner	Mazet	Sawyer	Speaker
Coughtry	Gleason			

Mr. Speaker announced the special order, being the bill (No. 1495) entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626 and 2627 of the Code of Civil Procedure, relating to revocation of probate." (Int. No. 303.)

Said bill having been announced for a third reading.

On motion of Mr. Hill, and by unanimous consent, said bill was made a special order on third reading for Wednesday next, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1946) entitled "An act to amend the Tax Law, being chapter 24 of the general laws, relating to appointment of special guardians in transfer tax proceedings." (Int. No. 1316.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McEwan	Sands
Allds	Cowles	Greenwood	McInerney	Sawyer
Apgar	Cross	Grossman	McKeown	Schmid A F

Axtell	Darrison	Guider-	McMillan	Schmid F
Babcock	Davis	Hallock	Meister	Sears
Baker	Dean	Harburger	Meyer	Sharkey
Ball	De Graw	Hatch	Miles	Siems
Barrett	Delaney	Hays	Mohring	Slater
Bashford	Dillon	Heller	Murphy	Sloane J J
Baum	Doughty	Henderson	O'Connell	Smith J E
Bedell	Dutton	Henry	O'Connor	Smith J T
Beede	Egan	Hill	Palmer	Snyder
Beeland	Ellis	Hitchcock	Paris	Sprague
Brennan E C	Evarts	Hutton	Patton	Stoneman
Brennan J F	Fallows	Johnson	Phillips	Streifler
Brewster	Fancher	Juengst	Post	Sullivan T P
Brown	Farrell	Kane	Poth	Sullivan W J
Bryan	Finn	Kelley E E	Redington	Ten Eyck
Bulkley	Fish	Kelsey	Rierdon	Thorn
Burnett	Fitzgerald	Kullman	Roberts	Trainor
Cain	Fordyce	Lewis M E	Rodenbeck	Tripp
Clark	Fowler	Lewis T D	Rogers	Vincent
Collier	Gale	Litchard	Russell	Ware
Collins	Gallagher	Mangin	Sabine	Whipple
Costello	Gardiner	Martin	Sage H M	Wilson
Cottle	Gleason	Mason	Sage S B	Wingenfeld
Cotton	Gould	Mazet	Sandford	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1947) entitled "An act for the protection of creditors of a decedent." (Int. No. 1317.)

Said bill having been announced for a third reading.

On motion of Mr. Fallows, said bill was laid aside, retaining its place on the order of third reading.

Mr. M. E. Lewis moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Hatch	Miles	Schmid A F
Allde	Davis	Hays	Mohring	Schmid F
Axtell	De Graw	Heller	Murphy	Schoeneck
Babcock	Dillon	Henderson	O'Connell	Sears

Baker	Dutton	Henry	O'Connor	Siems
Ball	Egan	Hill	Palmer	Slater
Barrett	Ellis	Hoffman	Paris	Sloane J J
Bashford	Evarts	Hutton	Patton	Smith J E
Baum	Fallows	Johnson	Phillips	Smith J T
Bedell	Fancher	Kane	Pickett	Snyder
Beede	Farrell	Kelley E E	Poth	Sprague
Boland	Finn	Kelly G T	Redington	Stoneman
Brennan J F	Fish	Kelsey	Riedman	Streifler
Brewster	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brown	Fordyce	Lewis M E	Roberts	Sullivan W J
Bryan	Fowler	Lewis T D	Roche	Ten Eyck
Burnett	Gale	Litchard	Rodenbeck	Thorn
Cain	Gallagher	Maher	Rogers	Torborg
Clark	Gardiner	Mangin	Rowe	Trainor
Collier	Gleason	Martin	Russell	Tripp
Collins	Gould	Mason	Sabine	Vincent
Costello	Graham	Mazet	Sage H M	West
Cottle	Green	McEwan	Sage S B	Whipple
Cotton	Greenwood	McKeown	Sanders	Wilson
Coughtry	Grossman	McMillan	Sandford	Wingenfeld
Cowles	Guider	Meister	Sands	Wissel
Cross	Harburger	Meyer	Sawyer	Witter 135

Mr. M. E. Lewis moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker resumed the chair.

Mr. Speaker announced the special order, being the bill (No. 1319) entitled "An act to amend the Banking Law and section 1 of title 3 of chapter 4 of part 2 of the Revised Statutes, relating to the rate of interest." (Int. No. 175.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the negative, a majority of all the members elected to the Assembly not voting in favor thereof, and three-fifths being present:

} AYES 66 {
 } NOES 65 {

Those who voted in the affirmative, were

Allds	Cross	Gleason	Martin	Sanders
Axtell	Darrison	Gould	McMillan	Sawyer
Babcock	Dillon	Green	Miles	Schmid F
Barrett	Dutton	Greenwood	O'Connell	Sears
Bashford	Egan	Grossman	Palmer	Streifler
Baum	Ellis	Hatch	Patton	Sullivan T P
Brennan J F	Evarts	Hoffman	Pickett	Ten Eyck
Bryan	Fancher	Juengst	Poth	Vincent
Burnett	Finn	Kane	Rierdon	West
Clark	Fitzgerald	Kelley E E	Roberts	Whipple
Collins	Fordyce	Kelsey	Roche	Wingenfeld
Costello	Fowler	Litchard	Rowe	Wissel
Cottle	Gallagher	Maher	Sage S B	Witter
Cowles				

Those who voted in the negative, were

Apgar	Davis	Henderson	McInerney	Sands
Baker	Dean	Henry	Meister	Schoeneck
Ball	De Graw	Hill	Meyer	Siems
Bedell	Doughty	Hutton	Murphy	Slater
Beede	Fallows	Johnson	Paris	Sloane J J
Boland	Farrell	Kelly G T	Phillips	Smith J E
Brewster	Fish	Kullman	Redington	Smith J T
Brown	Gale	Lewis M E	Riedman	Snyder
Bulkley	Gardiner	Lewis T D	Rodenbeck	Sullivan W J
Cain	Graham	Mangin	Rogers	Torborg
Collier	Guider	Mason	Russell	Trainor
Cotton	Harburger	Mazet	Sage H M	Thorn
Coughtry	Heller	McEwan	Sandford	Wilson

Mr. Miles moved that the vote by which said bill was lost be reconsidered, and that said motion be laid upon the table.

Mr. Speaker put the question whether the House would agree to said motion, and it was decided in the affirmative.

Mr. M. E. Lewis moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Greenwood	Mason	Sanders
Allds	Davis	Guider	Mazet	Sandford
Apgar	Dean	Harburger	McMillan	Sands
Axtell	De Graw	Hatch	Meister	Sawyer
Baker	Dillon	Hays	Meyer	Schoeneck
Ball	Doughty	Heller	Mohring	Sears
Barrett	Dutton	Henry	Murphy	Sharkey
Beede	Ellis	Hill	Palmer	Sloane C A
Brennan E C	Evarts	Hoffman	Paris	Smith J T
Brennan J F	Fallows	Hutton	Patton	Snyder
Brewster	Fancher	Johnson	Phillips	Sprague
Bryan	Finn	Juengst	Pickett	Stoneman
Bulkley	Fitzgerald	Kane	Roberts	Streifler
Burnett	Fordyce	Kelly G T	Roche	Ten Eyck
Cain	Fowler	Kelsey	Rodenbeck	Trainor
Clark	Gallagher	Kullman	Rogers	Tripp
Collier	Gardiner	Lewis M E	Rowe	Vincent
Costello	Gleason	Lewis T D	Russell	West
Cottle	Gould	Litchard	Sabine	Whipple
Cotton	Graham	Mangin	Sage H M	Wilson
Coughtry	Green	Martin	Sage S B	Witter
Cowler				

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Miles, Slater, Babcock, McEwan and Bedell, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the Senate bill (No. 319, Assembly reprint No. 1838) entitled "An act to amend chapter 53 of the Laws of 1879, entitled 'An act to revise the charter of the city of Auburn,' and the several acts amendatory thereof" (Rec. No. 29).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 78 }
{ NOES 43 }

Those who voted in the affirmative, were

Adler	Cottle	Gleason	McEwan	Sawyer
Allds	Cotton	Graham	McMillan	Sears
Apgar	Coughtry	Greenwood	Miles	Slater
Axtell	Cowles	Hatch	Murphy	Smith J T
Babcock	Darrison	Hays	Paris	Snyder
Baker	Davis	Henry	Patton	Sprague
Bedell	De Graw	Hill	Roberts	Stoneman
Beede	Doughty	Johnson	Rodenbeck	Ten Eyck
Brennan E C	Dutton	Kelley E E	Rogers	Thorn
Brewster	Ellis	Kelsey	Rowe	Tripp
Bryan	Evarts	Lewis M E	Russell	Vincent
Buikley	Fallows	Lewis T D	Sabine	West
Burnett	Fancher	Litchard	Sage H M	Whipple
Clark	Fordyce	Martin	Sandford	Wilson
Collier	Fowler	Mason	Sands	Witter
Costello	Gardiner	Mazet		

Those who voted in the negative, were

Ball	Gallagher	Juengst	Palmer	Sharkey
Barrett	Gould	Kelly G T	Phillips	Siems
Boland	Green	Kullman	Poth	Sloane J J
Brennan J F	Guider	Mangin	Riedman	Smith J E
Cain	Harburger	McInerney	Rierdon	Streifler
Dean	Heller	Meister	Roche	Sullivan T P
Dillon	Henderson	Meyer	Sage S B	Trainor
Finn	Hoffman	Mohring	Sanders	Wissel
Fitzgerald	Hutton	O'Connor		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same, with amendments.

Mr. Speaker announced the special order, being the bill (No. 1919) entitled "An act to amend the Code of Civil Procedure, in relation to fees of inventory appraisers" (Int. No. 1320).

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 134 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Meyer	Schmid A F
Allds	Davis	Hallock	Miles	Schmid F
Apgar	Dean	Harburger	Mohring	Schoeneck
Axtell	De Graw	Hatch	Murphy	Sharkey
Babcock	Delaney	Hays	O'Connell	Siems
Baker	Dillon	Heller	O'Connor	Sloane C A
Ball	Doughty	Henderson	Palmer	Sloane J J
Bashford	Egan	Henry	Paris	Smith J E
Baum	Ellis	Hill	Patton	Smith J T
Bedell	Evarts	Hoffman	Phillips	Snyder
Beede	Fallows	Johnson	Pickett	Sprague
Boland	Fancher	Juengst	Post	Stoneman
Brennan E C	Farrell	Kelley E E	Poth	Streifler
Brewster	Finn	Kelly G T	Redington	Sullivan T P
Brown	Fish	Kelsey	Riedman	Sullivan W J
Bryan	Fitzgerald	Kullman	Rierdon	Ten Eyck
Bulkley	Fordyce	Lewis M E	Roberts	Thorn
Burnett	Fowler	Lewis T D	Roche	Torborg
Cain	Gale	Litchard	Rodenbeck	Trainor
Clark	Gallagher	Mangin	Rogers	Vincent
Collins	Gardiner	Martin	Rowe	Ware
Costello	Gleason	Mason	Russell	West
Cottle	Gould	McEwan	Sage H M	Whipple
Cotton	Graham	McInerney	Sage S B	Wilson
Coughtry	Green	McKeown	Sanders	Wissel
Cowles	Greenwood	McMillan	Sandford	Witter
Cross	Grossman	Meister	Sawyer	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1920) entitled "An act to amend the Code of Civil Procedure relating to practice by the father or son of a surrogate in that surrogates' court." (Int. No. 1321.)

Said bill having been announced for a third reading.

On motion of Mr. Fallows, said bill was laid aside, retaining its place on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 1918) entitled "An act to amend the Code of Civil Procedure, relating to appointments in Surrogates' Court in the county of New York." (Int. No. 1319.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Sawyer
Allds	Cross	Grossman	McMillan	Schmid F
Apgar	Darrison	Guider	Meister	Schoeneck
Axtell	Davis	Hallock	Meyer	Sharkey
Babcock	Dean	Harburger	Miles	Siems
Baker	De Graw	Hatch	Morhing	Sloane C A
Ball	Delaney	Hays	O'Connell	Sloane J J
Bashford	Dillon	Heller	O'Connor	Smith J E
Bedell	Doughty	Henderson	Palmer	Smith J T
Beede	Dutton	Hill	Paris	Snyder
Boland	Egan	Hitchcock	Patton	Sprague
Brennan E C	Ellis	Hutton	Phillips	Stoneman
Brennan J F	Evarts	Johnson	Pickett	Sullivan T P
Brewster	Fallows	Juengst	Poth	Sullivan W J
Brown	Farrell	Kane	Redington	Ten Eyck
Bryan	Finn	Kelly G T	Riedman	Thorn
Bulkley	Fish	Kelsey	Rierdon	Torborg
Burnett	Fitzgerald	Kullman	Roche	Trainor
Cain	Fordyce	Lewis M E	Rodenbeck	Vincent
Clark	Fowler	Lewis T D	Rogers	Ware
Collier	Gallagher	Litchard	Rowe	Whipple
Collins	Gardiner	Mangin	Sabine	Wilson
Costello	Gleason	Martin	Sage H M	Wingenfeld
Cottle	Gould	Mason	Sage S B	Wissel
Cotton	Graham	Mazet	Sandford	Witter
Coughtry	Green	McEwan	Sands	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 366) entitled "An act to exempt the real estate of the Young Men's Hebrew Association from taxation." (Int. No. 356.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present:

{ AYES 111 }
{ NOES 14 }

Those who voted in the affirmative, were

Adler	Cottle	Gould	Lewis T D	Rodenbeck
Allds	Cotton	Green	Litchard	Russell
Apgar	Coughtry	Greenwood	Mangin	Sabine
Babcock	Cowles	Grossman	Martin	Sage S B
Baker	Cross	Guider	Mason	Sanders
Ball	Dean	Hallock	McEwan	Sandford
Barrett	De Graw	Harburger	McKeown	Sawyer
Bashford	Delaney	Hatch	McMillan	Schmid A F
Baum	Dillon	Heller	Meister	Schmid F
Bedell	Doughty	Henderson	Miles	Schoeneck
Beede	Dutton	Henry	Murphy	Sharkey
Boland	Egan	Hill	O'Connell	Siems
Brennan E	O Ellis	Hitchcock	Paris	Sloane J J
Brennan J F	Evarts	Hoffman	Patton	Snyder
Brewster	Fancher	Hutton	Phillips	Sprague
Brown	Farrell	Johason	Pickett	Streifler
Bryan	Finn	Juengst	Post	Sullivan T P
Bulkley	Fordyce	Kane	Poth	Trainor
Cain	Gale	Kelley E E	Redington	Vincent
Clark	Gardiner	Kelly G T	Riedman	West
Collier	Gallagher	Kullman	Rierdon	Wilson
Collins	Gleason	Lewis M E	Roberts	Wingenfeld
Costello				

Those who voted in the negative, were

Axtell	Fallows	Graham	Mazet	Smith J T
Burnett	Fish	Hays	Rogers	Whipple
Davis	Fowler	Kelsey	Sage H M	

Ordered, That the Clerk deliver said bill to the Senate and request their concurrence therein.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Cowles	Grossman	Meister	Schmid A F
Allds	Darrison	Guider	Meyer	Schmid F
Apgar	Davis	Harburger	Miles	Schoeneck
Axtell	De Graw	Hatch	Mohring	Sears
Babcock	Dillon	Hays	Murphy	Slater
Baker	Doughty	Heller	O'Connell	Sloane J J
Barrett	Dutton	Henderson	O'Connor	Smith J E
Bashford	Egan	Henry	Palmer	Snyder
Baum	Ellis	Hill	Paris	Sprague
Bedell	Evarts	Hoffman	Patton	Stoneman
Beede	Fallows	Johnson	Phillips	Streifler
Boland	Fancher	Kane	Pickett	Sullivan T P
Brennan E C	Farrell	Kelley E E	Riedman	Sullivan W J
Brennan J F	Finn	Kelly G T	Rierdon	Ten Eyck
Brewster	Fish	Kelsey	Roberts	Thorn
Brown	Fitzgerald	Kullman	Roche	Torborg
Bulkley	Fordyce	Lewis M E	Rodenbeck	Trainor
Burnett	Fowler	Lewis T D	Rowe	Tripp
Cain	Gale	Litchard	Russell	Vincent
Clark	Gallagher	Maher	Sabine	West
Collier	Gardiner	Mangin	Sage H M	Whipple
Collins	Gleason	Martin	Sage S B	Wilson
Costello	Gould	Mason	Sanders	Wingenfeld
Cottle	Graham	McEwan	Sandford	Wissel
Cotton	Green	McMillan	Sands	Witter
Coughtry	Greenwood			

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The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House with Messrs. Bryan and Rogers, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Allds moved that all further proceedings under the call of the House be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hill in the chair.

Mr. Speaker announced the special order, being the Senate bill (No. 959) entitled "An act to amend chapter 394 of the Laws of 1895, entitled 'An act to revise the charter of the city of Oswego,' as amended by chapter 263 of the Laws of 1897." (Rec. No. 292.)

Said bill having been announced for a second reading,

Mr. Speaker announced the question to be on the motion of Mr. Palmer to amend as follows:

Page 3, line 9, strike out the word "six" and insert in place thereof the word "four."

Same page, line 10, after the word "modified" insert, "The four commissioners first appointed shall hold office, two for two years and eight months, and two for four years and eight months; and said commissioners, at their first meeting, shall, by lot, decide which two of said commissioners shall hold office for the term of two years and six months."

Same page, line 12, strike out balance of line after the word "end" and all of line 13 to the word "five" and insert in place thereof, "as to the two commissioners for the short term, on the thirty-first day of December, nineteen hundred and one, and as to the two commissioners for the long term, on the thirty-first day of December, nineteen hundred and three."

Same page, line 15, strike out all of said line after the word "December" and the first word on line 16, and insert in place thereof, "when the terms of office of said commissioners shall expire."

Page 7, line 22, strike out the words "of the city of Oswego" and "state superintendent of public instruction," and insert after line 22 the words "mayor of the city of Oswego."

Page 8, lines 1, 2, 4, 7, 8 and 9, strike out the words "state superintendent of public instruction" and insert the word "mayor."

Page 11, line 25, after the word "superintendent" insert the words "subject to the review or approval of the department."

Mr. Speaker put the question whether the House would agree to said motion of Mr. Palmer to amend said bill, and it was determined in the negative.

{ AYES 60 }
{ NOES 80 }

Those who voted in the affirmative, were

Barrett	Fitzgerald	Kane	Palmer	Schoeneck
Bashford	Gale	Kelly G T	Phillips	Sharkey
Baum	Gallagher	Kullman	Pickett	Siems

Boland	Gould	Maher	Poth	Sloane J J
Brennan J F	Green	Mangin	Redington	Smith J E
Cain	Grossman	McInerney	Riedman	Streifler
Collins	Guider	McKeown	Rierdon	Sullivan T P
Dean	Harburger	Meister	Roche	Sullivan W J
Dillon	Heller	Meyer	Sage S B	Torborg
Egan	Henderson	Mohring	Sanders	Trainor
Farrell	Hoffman	O'Connell	Schmid A F	Wingenfeld
Finn	Hutton	O'Connor	Schmid F	Wissel

Those who voted in the negative, were

Adler	Cottle	Gardiner	Mason	Sands
Allds	Cotton	Gleason	Mazet	Sawyer
Apgar	Coughtry	Graham	McEwan	Sears
Axtell	Cowles	Greenwood	McMillan	Slater
Babcock	Darrison	Hallock	Miles	Snyder
Baker	Davis	Hatch	Murphy	Sprague
Bedell	De Graw	Hays	Paris	Stoneman
Beede	Doughty	Henry	Patton	Ten Eyck
Brennan E C	Dutton	Hill	Roberts	Thorn
Brewster	Ellis	Johnson	Rodenbeck	Tripp
Bryan	Evarts	Kelley E E	Rogers	Vincent
Bulkley	Fallows	Kelsey	Rowe	Ware
Burnett	Fancher	Lewis M E	Russell	West
Clark	Fish	Lewis T D	Sabine	Whipple
Collier	Fordyce	Litchard	Sage H M	Wilson
Costello	Fowler	Martin	Sandford	Witter

Mr. T. D. Lewis moved that said bill be placed on the order of third reading.

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. T. D. Lewis, and it was determined in the affirmative.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question, "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and

upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 59 }

Those who voted in the affirmative, were

Adler	Cottle	Gale	Mason	Sands
Allds	Cotton	Gardiner	Mazet	Sawyer
Apgar	Coughtry	Gleason	McEwan	Sears
Axtell	Cowles	Graham	McMillan	Slater
Babcock	Darrison	Greenwood	Miles	Smith J T
Baker	Davis	Hatch	Murphy	Snyder
Bedell	De Graw	Hays	Paris	Sprague
Beede	Doughty	Henry	Patton	Stoneman
Brennan E C	Dutton	Hill	Roberts	Ten Eyck
Brewster	Ellis	Johnson	Rodenbeck	Thorn
Bryan	Evarts	Kelley E E	Rogers	Tripp
Bulkley	Fallows	Kelsey	Rowe	Vincent
Burnett	Fancher	Lewis M E	Russell	West
Clark	Fish	Lewis T D	Sabine	Whipple
Collier	Fordyce	Litchard	Sage H M	Wilson
Costello	Fowler	Martin	Sandford	Witter

Those who voted in the negative, were

Ball	Fitzgerald	Kane	Palmer	Sharkey
Barrett	Gallagher	Kelly G T	Phillips	Siems
Bashford	Gould	Kullman	Pickett	Sloane J J
Baum	Green	Maher	Poth	Smith J E
Boland	Grossman	Mangin	Riedman	Streifler
Brennan J F	Guider	McInerney	Rierdon	Sullivan T P
Cain	Harburger	McKeown	Roche	Sullivan W J
Collins	Heller	Meister	Sage S B	Torborg
Dillon	Henderson	Meyer	Sanders	Trainor
Egan	Hoffman	Mohring	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connell	Schmid F	Wissel
Finn	Juengst	O'Connor	Schoeneck	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker resumed the chair.

The bill (No. 2049) entitled "An act to provide for the incorporation of the Salvation Army" (Int. No. 1287), having been announced for a second reading,

On motion of Mr. Miles, said bill was recommitted to the committee on charitable and religious societies, retaining its place on the order of second reading.

By unanimous consent, Mr. Fallows called up the bill (No. 1923) entitled "An act to amend the Code of Civil Procedure, relating to service of citations by publication" (Int. No. 1325), now on the order of third reading.

Said bill having been announced for a third reading,

Mr. Trainor moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 2, line 2, strike out the word "five" and insert the word "two."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to authorize the commissioners of the sinking fund of the city and county of New York to renew a lease of certain lots to the Orphans' Home and Asylum of the Protestant Episcopal Church in New York." (No. 2002, Int. No. 1408.)

"An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda.'" (No. 1713, Int. No. 1278.)

"An act to make the office of register of the county of Kings a salaried office and regulating the management of said office." (No. 2061, Int. No. 949.)

"An act to confer jurisdiction upon the Court of Claims to

hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county, against the State on account of illegal cancellation of land sales for taxes." (No. 1794, Int. No. 1361.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1973) entitled "An act to regulate the use of bicycles, tricycles and similar vehicles, and to require uniformity of ordinance affecting the same" (Int. No. 1096), reported the same with the following recommendations:

Page 1, line 5, after the word "provisions" strike out the semicolon and insert a comma.

Page 4, line 5, after the word "offense" insert a comma, also after the word "fine" insert a comma.

Same page, line 7, after the word "fine" insert a comma.

Same page, line 21, after the word "arrest" insert a comma.

Same page, line 22, after the word "security" insert a comma, also after the word "offer" insert a comma, also after the word "aforesaid" insert a comma.

Same page, line 23, strike out the words "as security," also after the word "for" strike out the word "the" and insert the word "his," also after the word "appearance" insert a comma, also strike out the words "of such rider."

Same page, line 24, after the word "magistrate" insert a comma, also strike out the words "in said city, village or town having."

Same page, line 25, strike out the words "jurisdiction of the offense."

Same page, line 26, after the word "day" insert a comma and the following words: "in said city village or town having jurisdiction of the offense."

Page 5, line 1, after the word "delivered" insert a comma, also after the word "officer" insert a comma, also after the word "magistrate" insert a period, also after the word "magistrate" capitalize the word "in."

Same page, line 4, after the word "adjourned" strike out period and insert a comma, also commence the word "Such" with a small letter "s."

Same page, line 6, after the word "magistrate" insert a comma.

Same page, line 7, after the word "vehicle" insert the word "it."

Same page, line 8, after the word "sale" insert a comma, also strike out the words "upon six days" and insert the word "a,"

also after the word "notice" insert the words "of which sale shall be."

Same page, line 9, after the word "village" insert a comma, also after the word "places" strike out the word "of" and insert the word "in," also strike out the word "and" and insert the words "a copy thereof."

Same page, line 11, after the word "same," insert the words "at least six days before such sale," also after the word "sale" insert the words "shall be."

Same page, line 13, after the word "magistrate" insert a comma.

Same page, line 14, after the word "sale" insert the words "shall be."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2060) entitled "An act to make the office of clerk of the county of Kings a salaried office and regulating the management of said office" (Int. No. 948), reported the same with the following recommendation:

Page 3, line 20, between the words "the" and "office" insert the word "clerks."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2085) entitled "An act to provide for the disposal of the sewage of the village of Saratoga Springs, New York" (Int. No. 1462), reported the same with the following recommendations:

Page 1, line 2, strike out the words "Nash Rockwood" and insert the words "Bernard Brunner."

Page 2, line 26, strike out the semicolon and insert a comma.

Page 3, line 17, strike out the comma, also strike out the word "each."

Same page, line 18, insert a comma after the word "village."

Same page, line 24, after the word "village" insert a comma.

Same page, line 25, after the word "bonds" strike out the comma.

Page 4, line 22, after the word "thereof" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1978) entitled "An act to amend chapter 562 of the Laws of 1890, entitled 'An act to revise the charter of the village of Alden'" (Int. No. 1458), reported the same with the following recommendations:

Page 5, line 23, strike out the word "be" after the word "shall."

Page 7, line 2, after the word "lamps" insert a period.

Page 22, line 16, strike out the word "and."

Page 25, line 20, after the word "certificate" insert the word "thereof."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1040) entitled "An act to amend sections 2 and 3 of chapter 312 of the Laws of 1896, entitled 'An act to regulate the profession of public accountants'" (Int. No. 907), reported the same with the following recommendations:

Page 2, line 17, after the word "eligible" insert a comma.

Amend the title so as to read as follows:

"An act to amend chapter three hundred and twelve of the laws of eighteen hundred and ninety-six, entitled 'An act to regulate the profession of public accountants,' relative to the granting of certificates."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1975) entitled "An act to amend the Fish-

eries, Game and Forest Law in relation to taking deleterious fish from the public waters " (Int. No. 1455), reported the same with the following recommendations:

Page 1, line 5, strike out the comma between the words " to " and " read," also insert a comma after the word " five."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1984) entitled " An act to amend chapter 415 of the Laws of 1897, entitled ' An act in relation to labor, constituting chapter 32 of the general laws ' " (Int. No. 1464), reported the same with the following recommendations: "

Page 1, line 2, after the word " ninety-seven " insert the following: " entitled ' An act in relation to labor, constituting chapter thirty-two of the general laws. ' " "

Page 2, line 20, after the word " lodge " insert a comma.

Amend the title so as to read as follows:

" An act to amend chapter four hundred and fifteen of the laws of eighteen hundred and ninety-seven, entitled ' An act in relation to labor, constituting chapter thirty-two of the general laws, ' providing for fire escapes on hotels, lodging houses, boarding houses, club houses and tenement houses. "

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1155) entitled " An act to credit and pay to the people of the several counties of the State the moneys received from the United States pursuant to an act of Congress, approved March 2, 1891, entitled ' An act to credit and pay to the several states and territories and the District of Columbia, all moneys collected under the direct tax levied by the Congress, approved August 5, 1861 ' " (Int. No. 991), reported the same with the following recommendations:

Page 2, line 4, after the word " ninety-one " insert a comma.

Same page, line 10, after the word " make " strike out the word

“and” and insert the word “an,” also after the word “sixty-two” insert a comma.

Same page, line 13, strike out the colon and insert a period.

Same page, line 21, after the word “payment” insert a comma.

Same page, line 25, after the word “taxpayer” insert a comma.

Page 3, line 3, strike out semicolon and insert a comma.

Same page, line 6, after the word “act” insert a comma.

Same page, line 8, after the word “hereunder” insert a comma.

Same page, line 11, after the word “prepared” insert a comma.

Same page, line 18, after the word “county” insert a comma.

Same page, line 19, after the word “county” insert a comma.

Same page, line 23, after the word “county” insert a comma

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 626) entitled “An act to amend the Fisheries, Game and Forest Law, relative to fishing for, catching or killing black bass, Oswego bass, pickerel, pike or wall-eyed pike: Close season” (Int. No. 586), reported the same, with the following recommendations:

Page 2, line 17, after the word “caught” insert a comma.

Page 3, line 1, after word “however” insert a comma.

Page 4, line 1, after the word “season” insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1238) entitled “An act to amend the Fisheries, Game and Forest Law, in relation to fishing in certain streams in Warren county” (Int. No. 1049) reported the same, with the following recommendations:

Page 1, line 1, after the word “thirty-three” insert the word “of.”

Same page, same line, after the word “six” insert the word “of.”

Same page, line 2, after word "eighty-eight" insert the words "of the."

Same page, same line, after word "laws" insert the word "of."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1977) entitled "An act to authorize the town of Grand Island, in the county of Erie, to raise moneys for the purpose of securing a means of access by bridge from the said town across the water of Niagara river to the main land and to issue its bonds therefor" (Int. No. 1457), reported the same, with the following recommendations:

Page 1, line 1, after the word "may" insert a comma.

Same page, line 2, after the word "town" insert a comma.

Same page, line 3, after the word "submitted" insert a comma.

Same page, same line, after the word "meeting" insert a comma.

Page 2, line 10, before the words "and conducted" insert a comma.

Same page, line 11, before the words "as at a" insert a comma.

Page 3, line 6, after the word "board" insert a comma.

Same page, line 7, after the word "town" insert a comma.

Same page, line 11, after the word "Island" insert a comma.

Same page, line 13, after the word "proposition" insert a comma.

Same page, line 17, after word "land" insert a comma.

Same page, line 21, after the word "raised" insert a comma.

Same page, line 25, after the word "issue" insert the word "its."

Same page, line 26, after the word "sum" insert a comma.

Page 4, line 1, after the word "town" insert a comma.

Same page, line 2, after the word "property" insert a comma.

Same page, line 5, after word "installment" insert a comma.

Same page, line 9, after the word "sufficient" insert a comma.

Same page, line 10, after the word "thereon" insert a comma.

Same page, line 14, after the word "due" insert a comma.

Same page, line 15, after word "depository" insert a comma.

Same page, line 16, after the word "board" insert a comma.

Same page, line 18, after the word "board" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed, the bills entitled as follows:

"An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to the appointment of typewriters to take evidence before grand juries." (No. 2031, Int. No. 1420.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Wilbur F. Barker against the State of New York for compensation to which it is alleged said claimant is entitled for services rendered and performed for and on behalf of the State of New York, and to render judgment therefor." (No. 2030, Int. No. 1490.)

"An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda.'" (No. 1713, Int. No. 1278.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county, against the State on account of illegal cancellation of land sales for taxes." (No. 1794, Int. No. 1361.)

"An act to authorize the commissioners of the sinking fund of the city and county of New York to renew a lease of certain lots to the Orphans' Home and Asylum of the Protestant Episcopal Church in New York." (No. 2002, Int. No. 1408.)

A message from the Senate was received and read, in the words following:

IN SENATE, *March 29, 1899.*

Pursuant to concurrent resolution of the Senate and Assembly, the Governor returned the Senate bill (No. 124, Assembly reprint No. 1228) entitled "An act to legalize certain assessments" (Rec. No. 8).

The vote upon the final passage of said bill having been reconsidered, on motion of Mr. Ellsworth, and by unanimous consent, the same was amended as follows:

(Reprint No. 1164.)

Strike out all after the enacting clause, and insert the following:

"Section 1. An assessment of real property heretofore made shall not be deemed invalid because the property was assessed to an owner not residing in the tax district, instead of to a resident occupant, or as non-resident lands.

"§ 2. Nothing in this act shall affect any action or proceeding now pending, nor validate any sale of real property heretofore made under any such assessment.

"§ 3. This act shall take effect immediately."

Said bill as amended, was reprinted, re-engrossed, and having been on the desks of the members three legislative days, was passed and ordered sent to the Assembly for concurrence.

By order of the Senate,

JAMES S. WHIPPLE,

Clerk.

Mr. Speaker put the question whether the House would agree to the reconsideration of the vote on the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 125 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Guider	McInerney	Sands
Allds	Dean	Hallock	McKeown	Schmid A F
Apgar	De Graw	Harburger	McMillan	Schmid F
Babcock	Delaney	Hatch	Meister	Schoeneck
Baker	Dillon	Hays	Meyer	Sears
Ball	Doughty	Heller	Mohring	Siems
Bashford	Dutton	Henderson	Murphy	Slater
Baum	Egan	Henry	O'Connell	Sloane J J
Bedell	Ellis	Hill	O'Connor	Smith J E
Beede	Evarts	Hitchcock	Palmer	Smith J T
Brennan E O	Fallows	Hoffman	Paris	Snyder
Brown	Fancher	Johnson	Pickett	Sprague
Bryan	Farrell	Juengst	Post	Stoneman
Bulkley	Fish	Kane	Poth	Streifler
Cain	Fitzgerald	Kelley E E	Riedman	Sullivan T P
Clark	Fowler	Lewis T D	Rierdon	Ten Eyck
Collins	Gale	Kelsey	Roberts	Thorn
Collins	Gallagher	Kullman	Roche	Torborg
Costello	Gardiner	Lewis M E	Rodenbeck	Trainor
Cottle	Gleason	Lewis T D	Rogers	Tripp

Cotton	Gould	Litchard	Russell	Vincent
Coughtry	Graham	Mangin	Sabine	Ware
Cowles	Green	Martin	Sage H M	Whipple
Cross	Greenwood	Mason	Sanders	Wilson
Darrison	Grossman	Mazet	Sandford	Witter

Mr. Palmer moved that said bill, as amended, be placed on the third reading calendar for to-morrow.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

The Senate returned the bill (No. 1196, Senate reprint No. 1151) entitled "An act to amend the Fisheries, Game and Forest Law, and the acts amendatory thereof, relative to quail" (Int. No. 323), with a message that they have concurred in the passage of the same, with the following amendments:

Strike out all after the enacting clause, and insert the following:

Section 1. Section seventy-three of chapter four hundred and eighty-eight of the laws of eighteen hundred and ninety-two, the title to which was amended by chapter three hundred and ninety-five of the laws of eighteen hundred and ninety-five to read "An act relating to game, fish and wild animals and to the forest preserve and Adirondack park, constituting chapter thirty-one of the general laws and to be known as the fisheries, game and forest law," as amended by chapter nine hundred and seventy-four of the laws of eighteen hundred and ninety-five, as amended by chapter four hundred and fifty-nine of the laws of eighteen hundred and ninety-eight, is hereby amended to read as follows:

§ 73. Quail when not to be possessed.—Quail shall not be sold or possessed except during the months of November and December, but possession thereof during the month of December after expiration of close season is forbidden and shall be deemed a violation of this section unless it be proved by the possessor that said birds were killed within the lawful periods for killing the same, or outside the state, and in the counties of Genesee and Montgomery at no time prior to January first, nineteen hundred and three. The provisions of this section shall not apply to Robin's Island and Gardiner's Island. Whoever shall violate or attempt to violate the provisions of this section shall be deemed guilty of a misdemeanor, and in addition thereto shall be liable to a penalty of twenty-five dollars for each bird killed, trapped or possessed contrary to the provisions of this section.

§ 2. This act shall take effect immediately.

Amend the title so as to read as follows:

“An act to amend the fisheries, game and forest law, and the acts amendatory thereof, relative to quail.”

Mr. Ellis moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Green	Mazet	Sanders
Allds	Cross	Greenwood	McEwan	Sandford
Apgar	Darrison	Guider	McInerney	Sawyer
Axtell	Davis	Hallock	McKeown	Schmid A F
Babcock	Dean	Harburger	McMillan	Schoeneck
Baker	De Graw	Hatch	Meister	Sears
Ball	Delaney	Hays	Miles	Siems
Barrett	Dillon	Heller	Mohring	Slater
Baum	Doughty	Henderson	O'Connell	Sloane C A
Bedell	Dutton	Henry	Palmer	Sloane J J
Beede	Egan	Hill	Paris	Smith J E
Boland	Ellis	Hoffman	Patton	Snyder
Brennan EC	Evarts	Hutton	Pickett	Sprague
Brennan JF	Fallows	Johnson	Post	Stoneman
Brewster	Fancher	Juengst	Poth	Streifler
Brown	Finn	Kane	Redington	Sullivan W J
Bryan	Fish	Kelley E E	Riedman	Ten Eyck
Bulkley	Fitzgerald	Kelly G T	Rierdon	Thorn
Burnett	Fordyce	Kelsey	Roberts	Trainor
Cain	Fowler	Kullman	Roche	Tripp
Clark	Gale	Lewis M E	Rodenbeck	Ware
Collier	Gallagher	Lewis T D	Rogers	West
Collins	Gardiner	Litchard	Russell	Whipple
Costello	Gleason	Mangin	Sabine	Wilson
Cottle	Gould	Martin	Sage H M	Wingenfeld
Cotton	Graham	Mason	Sage S B	Wissel
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1009, Senate reprint No. 1029) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles A. Barnes against the State of New York for damages alleged to have been sustained in the town of Salina, county of Onondaga, and to render judgment therefor" (Int. No. 151), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 4, strike out the word "arising" and insert the following, "alleged to have arisen."

Same page, line 5, before the word "alleged" insert the word "also."

Mr. Ten Eyck moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	Mazet	Sands
Allds	Coughtry	Green	McEwan	Sawyer
Apgar	Cowles	Greenwood	McKeown	Schmid A F
Axtell	Cross	Grossman	Meister	Schoeneck
Babcock	Darrison	Guider	Meyer	Sharkey
Ball	Davis	Hallock	Mohring	Siems
Barrett	Dean	Harburger	Murphy	Slater
Bashford	De Graw	Hatch	O'Connor	Sloane J J
Baum	Delaney	Hays	Palmer	Smith J E
Bedell	Dillon	Heller	Paris	Smith J T
Beede	Doughty	Henderson	Phillips	Sprague
Brennan E C	Dutton	Hill	Pickett	Stoneman
Brennan J F	Egan	Hitchcock	Post	Sullivan T P
Brewster	Evarts	Hutton	Redington	Sullivan W J
Brown	Fallows	Johnson	Riedman	Ten Eyck
Bryan	Farrell	Juengst	Roberts	Thorn
Bulkley	Fish	Kelley E E	Roche	Torborg
Burnett	Fitzgerald	Kelsey	Rodenbeck	Tripp

Cain	Fordyce	Kullman	Rogers	Vincent
Clark	Fowler	Lewis M E	Russell	West
Collier	Gale	Lewis T D	Sabine	Whipple
Collins	Gallagher	Litchard	Sage H M	Wilson
Costello	Gardiner	Mangin	Sage S B	Wingenfeld
Cottle	Gould	Mason	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 1007, Senate reprint No. 1126) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of Eva L. Woerner, and others, against the State of New York, for damages alleged to have been sustained in the town of Salina, county of Onondaga, by them, and to render judgment therefor" (Int. No. 53), with a message that they have concurred in the passage of the same, with the following amendments:

Page 1, line 8, end of line, add the word "alleged."

Page 2, line 5, after the word "the" insert the word "alleged."

Same page, line 6, strike out the word "arising" and insert the words "alleged to have arisen."

Mr. Ten Eyck moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 120 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McEwan	Sandford
Allds	Cowles	Greenwood	McKeown	Sands
Apgar	Cross	Grossman	McMillan	Schmid A F
Axtell	Darrison	Guider	Meister	Schoeneck
Babcock	Davis	Hatch	Miles	Sharkey
Baker	Dean	Hays	Mohring	Siems
Ball	De Graw	Heller	Murphy	Sloane C A

Barrett	Dillon	Henderson	O'Connell	Sloane J J
Bashford	Doughty	Hill	Palmer	Smith J E
Baum	Dutton	Hitchcock	Paris	Snyder
Bedell	Egan	Hoffman	Patton	Sprague
Beede	Ellis	Hutton	Phillips	Stoneman
Brennan E C	Everts	Johnson	Pickett	Sullivan T P
Brennan J F	Fancher	Kane	Poth	Sullivan W J
Brewster	Farrell	Kelley E E	Redington	Ten Eyck
Bryan	Finn	Kelsey	Riedman	Thorn
Bulkley	Fish	Kullman	Rierdon	Torborg
Barrett	Fitzgerald	Lewis M E	Roberts	Vincent
Cain	Fordyce	Lewis T D	Rodenbeck	West
Clark	Fowler	Litchard	Rogers	Whipple
Collier	Gale	Mangin	Rowe	Wilson
Collins	Gardiner	Martin	Sabine	Wingenfeld
Costello	Gleason	Mason	Sage H M	Wissel
Cottle	Gould	Mazet	Sanders	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 906, Senate reprint No. 1082) entitled "An act making appropriations for the support of government" (Int. No. 400), with a message that they have assented to the request for the appointment of a committee of conference, and the President appointed as such committee on the part of the Senate Messrs. Higgins, Brown and Douglass.

Mr. Speaker announced the appointment of Messrs Allds, Kelsey, Costello, Palmer and Fitzgerald as such committee of conference on the part of the Assembly.

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have appointed a committee of conference thereon.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to legalize, ratify and confirm the election of the trustees of the Evergreen Cemetery Association of Bristol and certain acts of the officers thereof." (No. 1675, Int. No. 1275.)

"An act to authorize and empower the town board of the town of Fort Covington, Franklin county, and 'The Aetna Fire Company of Fort Covington, N. Y.,' to purchase a site for, and to

erect, maintain and furnish a combination town and firemen's hall, and to provide for its care, control and maintenance." (No. 1690, Int. No. 1291.)

"An act to legalize, ratify and confirm the vote of the electors of the town of Victor, Ontario county, held on the 7th day of March, 1899, relating to the acquiring of a town house, and to authorize the purchase of a site for, and the erection thereon of, a town house, in said town of Victor, and to authorize the said town of Victor to issue bonds in payment thereof." (No. 1673, Int. No. 1273.)

"An act to amend chapter 687 of the Laws of 1894, entitled 'An act to regulate the commitment and discharge of certain prisoners, tramps and vagrants in Westchester county, and to prescribe the effect thereof, to provide for the support of the prisoners in the jail in the county of Westchester, and to fix the duties and compensation of the sheriff of said county and of certain employes in the jail of said county,' as amended by chapter 420 of the Laws of 1895 relative to the powers and duties of the sheriff." (No. 1574, Int. No. 1251.)

"An act to amend subdivision 7 of section 2 of chapter 179 of the Laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions, and political committees,' relative to the preparation of enrollment books by the custodian of primary records." (No. 1822, Int. No. 1379.)

Ordered, That the Clerk deliver said bills to the Governor.

"An act to levy an assessment for the cost and expense of constructing an improvement and pavement in, upon and through East Main street in the city of Rochester, from Goodman street to the Culver road, upon property benefited thereby." (No. 1883, Int. No. 1145.)

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rochester.

The Senate returned the following entitled Senate bill, with a message that they have concurred in the amendments of the Assembly made thereto:

"An act to enable the fire commissioner of the city of New

York to rehear and determine the charges against Henry A. Rehwinkle, a fireman of the first grade, for reinstatement in said department." (No. 874, Rec. No. 196; Assembly reprint No. 1949.)

Ordered, That the Clerk return said bill to the Senate.

The Senate returned the following entitled bills, with a message that they have concurred in the passage of the same:

"An act to amend sections 284 and 734 of The Greater New York Charter, in relation to the age qualifications of patrolmen and firemen." (No. 1718, Int. No. 958.)

"An act to authorize the board of estimate and apportionment of the city of New York to examine, audit and allow the claim of William F. S. Hart, as assignee of George S. Chapman, for expenses and disbursements incurred by George S. Chapman as a police captain in the city of New York during the months of December, 1896, and January, 1897." (No. 1545, Int. No. 505.)

"An act to amend The Greater New York Charter, in relation to a division of notification in the department of finance, by adding a new section thereto to be designated section 1023-a." (No. 1720, Int. No. 338.)

"An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against Michael McGrath, a policeman of the first grade, for reinstatement, in said department." (No. 1163, Int. No. 1161.)

"An act for the relief of the Young Women's Settlement in the city of New York, a membership corporation organized for religious, benevolent and educational purposes." (No. 345, Int. No. 334.)

"An act to amend the Greater New York charter, relating to offensive trades in the borough of Brooklyn." (No. 1614, Int. No. 1108.)

"An act to amend 'The Greater New York Charter,' relative to the legislative department." (No. 1457, Int. No. 959.)

Ordered, That the Clerk transmit a certified copy of said bills to the mayor of the city of New York.

"An act to amend the charter of the city of Rochester, in relation to local improvements." (No. 1827, Int. No. 1168.)

Ordered, That the Clerk transmit a certified of said bill to the mayor of the city of Rochester.

"An act to authorize the board of trustees of the village of White Plains to acquire lands for fire department purposes and to build suitable buildings thereon, and to procure and maintain proper fire apparatus for the protection of the property in such village against fire, and to provide a proper method and means of payment therefor." (No. 1380, Int. No. 1123.)

"An act to amend chapter 451 of the Laws of 1867, entitled 'An act to incorporate the village of Mayville, in the town of Chautauqua, county of Chautauqua, and to repeal its present charter relative to highway taxes.' (No. 1072, Int. No. 399.)

"An act to provide for the appointment of a transfer tax clerk by the surrogate of the county of Erie, and to provide for his compensation." (No. 1159, Int. No. 995.)

"An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Irving F. Cragin against the State for services rendered by him to the State, and render judgment therefor." (No. 1337, Int. No. 1110.)

"An act to amend chapter 953 of the Laws of 1895, entitled 'An act to regulate the cutting and harvesting of ice in the Hudson river.' " (No. 1029, Int. No. 901.)

"An act to amend the Penal Code, in relation to misdemeanors at elections at which voting machines are used." (No. 1122, Int. No. 577.)

Ordered, That the Clerk deliver said bills to the Governor.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 4, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for transmission to the city, Assembly bill No. 1255, Senate reprint No. 1079, entitled "An act to confirm, reduce, levy and provide for the collection by the city of Rensselaer as the successor of the village of Greenbush of certain assessments made by the village of Greenbush and to confirm the

proceedings had with reference thereto and the issue of bonds thereon." (Int. No. 479.)

THEODORE ROOSEVELT.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Rensselaer.

Also, the following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 4, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for transmission to the city, Assembly bill No. 1177, entitled "An act to make water rents a lien on real estate in the city of Kingston and to provide for the better collection thereof." (Int. No. 1008.)

THEODORE ROOSEVELT.

Ordered, That the Clerk transmit a certified copy thereof to the mayor of the city of Kingston.

The Senate sent for concurrence a resolution in the words following:

Resolved (if the Assembly concur), that a respectful message be sent to the Governor, requesting the return of Senate bill No. 800, entitled "An act to authorize the board of trustees of the village of Catskill to issue bonds and sell the same and with the proceeds to purchase land and erect thereon a building or buildings for the use of said village" (Rec. No. 191), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. West offered for the consideration of the House, a resolution in the words following:

Resolved, (if the Senate concur), that a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1825, entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws,' relative to licenses" (Int. No. 1237), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

The Senate returned the concurrent resolution recalling from the Governor, for the purpose of amendment, Assembly bill No. 1825, entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws,' relative to licenses" (Int. No. 1237), with a message that they have concurred in the passage of the same.

Ordered, That the Clerk deliver said resolution to the Governor.

A communication was received from Hon. Robert A. Van Wyck, mayor of the city of New York, returning Assembly bill No. 1452, entitled "An act to amend 'The Greater New York Charter,' relative to the municipal court" (Int. No. 297), with a message that said mayor, after a public hearing thereon, does approve said bill and accept the same.

Ordered, That the Clerk deliver said bill to the Governor.

Mr. Mazet gave notice that on Wednesday, April 5, he would call up Assembly bill No. 1581, entitled "An act to amend 'The Greater New York Charter,' relating to the board of pharmacy" (Int. No. 215), the same having been laid aside on the order of third reading.

Mr. Mahar gave notice that on Wednesday, April 5, he would call up Assembly bill No. 1635, entitled "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in The City of New York" (Int. No. 40), the same having been laid aside on the order of third reading.

The privileges of the floor were extended to Hons. Charles L. Guy, of New York, and Dow Vrooman, of Niagara.

Mr. Allds gave notice, that on some future day he would move that Assembly rules Nos. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49, 52 and 55 be suspended for the purpose of reading and

passing out of its order, Assembly bill No. 1962, entitled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers." (Int. No. 135.)

By unanimous consent,

Mr. Mason introduced a bill entitled "An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the claim of Henri D. Dickinson against the State, and to make an award therefor" (Int. No. 1522), which was read the first time and referred to the committee on claims.

By unanimous consent,

Mr. De Graw introduced a bill entitled "An act relating to franchises and grants prior to the 1st day of January, 1898, providing for the use of streets, avenues and parkways in the counties of Queens, Richmond, Westchester, Kings and New York" (Int. No. 1523), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Gale introduced a bill entitled "An act to create a commissioner of jurors in the several counties of this State" (Int. No. 1524), which was read the first time.

On motion of Mr. Gale, and by unanimous consent, said bill was read the second time, ordered to a third reading, and referred to the committee on the judiciary.

By unanimous consent,

Mr. Hill introduced a bill entitled "An act to amend section 41 of the Penal Code of the State of New York, relating to political caucuses, primary elections, conventions and enrollments" (Int. No. 1525), which was read the first time and referred to the committee on codes.

By unanimous consent,

Mr. Roche introduced a bill entitled "An act to amend chapter 481 of the Laws of 1879, entitled 'An act relative to judgments entered upon forfeited recognizances in the city and county of New York'" (Int. No. 1526), which was read the first time and referred to the committee on affairs of cities.

By unanimous consent,

Mr. Rogers introduced a bill entitled "An act to legalize and confirm certain bonds of the village of Windsor, issued in pursuance of a special election held on the 30th day of August, 1898, for the purchase and improvement of a system of water works for such village" (Int. No. 1527), which was read the first time.

On motion of Mr. Rogers, and by unanimous consent, said bill was read the second time, ordered to a third reading, and referred to the committee on internal affairs.

By unanimous consent,

Mr. Roberts introduced a bill entitled "An act to amend the Lien Law, relating to liens under contract for public improvements" (Int. No. 1528), which was read the first time and referred to the committee on the judiciary.

On motion of Mr. Allds, the House adjourned, to meet tomorrow morning at 10 o'clock.

WEDNESDAY, APRIL 5, 1899.

The House met pursuant to adjournment.

Prayer by Rev. Daniel F. Curtin.

On motion of Mr. Hill, the reading of the journal of yesterday was dispensed with, and the same was approved.

Mr. Apgar introduced a bill entitled "An act to amend section 2479 of the Code of Civil Procedure" (Int. No. 1529), which was read the first time and referred to the committee on codes.

Mr. Darrison introduced a bill entitled "An act to repeal chapter 325 of the Laws of 1898, entitled 'An act to prevent the application of poison to fruit trees while in blossom'" (Int. No. 1530), which was read the first time and referred to the committee on general laws.

Mr. Gardiner introduced a bill entitled "An act to amend chapter 676 of the Laws of 1881, entitled 'An act to establish a Penal Code,' relating to the conveyance of female convicts" (Int. No.

1531), which was read the first time and referred to the committee on codes.

Also, "Concurrent resolution of the Senate and Assembly, proposing an amendment to section 9 of article 5 of the Constitution, relating to civil service" (Int. No. 1532), which was read the first time and referred to the committee on the judiciary.

Mr. Grossman introduced a bill entitled "An act in relation to the widening and alteration of East One Hundred and Sixty-third street, from Third avenue to Westchester avenue, providing for the raising of part of the expenses by assessment and part of the fund out of the fund known as the 'Fund for the street and park openings,' in the city of New York, Borough of the Bronx" (Int. No. 1533), which was read the first time and referred to the committee on affairs of cities.

Also, a bill entitled "An act in relation to the reports of legislative committees" (Int. No. 1534), which was read the first time and referred to the committee on the judiciary.

Also, a bill entitled "An act to amend section 7 of chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation,' constituting chapter 24 of the general laws" (Int. No. 1535), which was read the first time and referred to the committee on taxation and retrenchment.

Also, a bill entitled "An act in relation to agreements to pay tax on mortgage debts" (Int. No. 1536), which was read the first time and referred to the committee on the judiciary.

Mr. McEwan introduced a bill entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John Stiert against the State of New York for personal injuries caused, as alleged, by his being struck by a piece of oak hurled from a buzz saw in the Capitol grounds in the city of Albany, N. Y., on or about the 16th day of June, 1894, and render judgment therefor" (Int. No. 1537), which was read the first time and referred to the committee on claims.

Mr. S. F. Schmid introduced a bill entitled "An act to amend section 3 of chapter 326 of the Laws of 1895, entitled 'An act to provide for the incorporation of associations for lending money

on personal property, and to forbid certain loans of money, property or credit " (Int. No. 1538), which was read the first time and referred to the committee on the judiciary.

Mr. M. E. Lewis introduced a bill entitled " An act to amend section 18 of chapter 686 of the Laws of 1892, known as the County Law " (Int. No. 1539), which was read the first time and referred to the committee on the judiciary.

The Senate sent for concurrence the following entitled bills:

" An act to amend the Agricultural Law, relative to the promotion of sugar beet culture " (No. 1206, Rec. No. 319), which was read the first time and referred to the committee on agriculture.

" An act authorizing the directors of the Port Henry Iron Ore Company of Lake Champlain, to execute and file and have recorded a certificate or certificates of extension of the time of the corporate existence of said company " (No. 1215, Rec. No. 320), which was read the first time and referred to the committee on the judiciary.

" An act to amend section 17 of chapter 413 of the Laws of 1897, known as the State Finance Law, and being chapter 10 of the general laws " (No. 1200, Rec. No. 321), which was read the first time and referred to the committee on the judiciary.

" An act to amend section 2429 of the Code of Civil Procedure, in relation to the appointment of receivers in proceedings for the voluntary dissolution of a corporation " (No. 1141, Rec. No. 322), which was read the first time and referred to the committee on codes.

" An act to amend section 49 of 'The Greater New York Charter,' being section 49 of chapter 378 of the Laws of 1897, relative to the legislative powers of the municipal assembly of the city of New York " (No. 1188, Rec. No. 323), which was read the first time and referred to the committee on affairs of cities.

" An act to authorize the board of trustees of the village of White Plains to compel the owners of property fronting on any street, avenue or highway in said village to construct, relay and keep in repair the sidewalks, curbstones and gutters in front of their respective lots, and to provide for the manner and means of

payment therefor by the village in case of the refusal of such owners to obey the resolution, by-law or ordinance of the said board in regard to the same " (No. 760, Rec. No. 324), which was read the first time and referred to the committee on affairs of villages.

" An act releasing the interest of the State of New York in lands located in the town of Perinton, Monroe county, New York, to Fletcher A. Defendorf of Fairport, New York " (No. 915, Rec. No. 325), which was read the first time and referred to the committee on the judiciary.

" An act authorizing the State engineer and surveyor to make a survey of the Seneca lake and the outlet thereof, and making an appropriation therefor " (No. 1207, Rec. No. 326), which was read the first time and referred to the committee on ways and means.

" An act to incorporate ' The Oswego Masonic Temple Association of the city of Oswego, New York ' " (No. 1194, Rec. No. 327), which was read the first time and referred to the committee on the judiciary.

" An act to amend chapter 555 of the Laws of 1898, entitled ' An act to establish a State board of embalmers, and to regulate the practice of embalming,' extending the time of registration thereunder " (No. 1116, Rec. No. 328), which was read the first time and referred to the committee on the judiciary.

" An act in relation to the construction, maintenance and operation of railroads upon Elm street, in the borough of Manhattan, in the city of New York " (No. 1067, Rec. No. 329), which was read the first time and referred to the committee on affairs of cities.

" An act to amend section 1323 of the Code of Civil Procedure, relative to appeals " (No. 1064, Rec. No. 330), which was read the first time and referred to the committee on codes.

" An act to amend the Domestic Commerce Law, in relation to the size of apple, pear, quince and potato barrels " (No. 1231, Rec. No. 332), which was read the first time and referred to the committee on internal affairs.

“Concurrent resolution of the Senate and Assembly proposing an amendment to article 6, section 7 of the Constitution, relating to the Court of Appeals” (No. 301, Rec. No. 333), which was read the first time and referred to the committee on the judiciary.

“An act to amend the Public Buildings Law, in relation to the power of the trustees of public buildings to accept statues, monuments, memorials or tablets for erection or location in any of the public buildings or grounds of the State” (No. 1242, Rec. No. 334), which was read the first time and referred to the committee on the judiciary.

“An act to provide for the consolidation of the Educational Alliance and the Hebrew Free School Association of the city of New York, and to define the powers of the consolidated corporation” (No. 1228, Rec. No. 335), which was read the first time and referred to the committee on public education.

“An act to provide for the gaging of streams in the State of New York and directing the State Engineer and Surveyor to report the results of said gagings to the Legislature” (No. 1053, Rec. No. 336), which was read the first time and referred to the committee on the judiciary.

“An act making an appropriation for continuing the acquisition of land in the Adirondack park” (No. 1223, Rec. No. 337), which was read the first time and referred to the committee on ways and means.

“An act providing for the erection of a State armory in the village of Medina, Orleans county, the acquisition of a site therefor, and making an appropriation for building said armory” (No. 1222, Rec. No. 338), which was read the first time and referred to the committee on ways and means.

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claims of the counties of Westchester and Orange against the State for a refund of taxes paid on erroneous valuations of property in said counties for the years 1896 and 1897” (No. 1227, Rec. No. 339), which was read the first time and referred to the committee on claims.

“An act to amend chapter 105 of the Laws of 1891, entitled

'An act to revise the charter of the city of Buffalo,' and the several acts amendatory thereof and supplemental thereto, in relation to the payment of pensions to the members of the police force, or their dependents" (No. 1234, Rec. No. 340), which was read the first time and referred to the committee on affairs of cities.

"An act to amend chapter 469 of the Laws of 1898, entitled 'An act to protect navigation in certain tide-waters within the State of New York,' relative to providing for the cost of doing the work therein required, and in other respects" (No. 1186, Rec. No. 341), which was read the first time and referred to the committee on affairs of cities.

"An act to amend section 1373 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to interpreters of the Municipal Court" (No. 1235, Rec. No. 342), which was read the first time and referred to the committee on affairs of cities.

Mr. Allds offered for the consideration of the House a resolution in the words following:

Resolved, That the time for the introduction of bills and for all committees of the Assembly to report be extended until otherwise ordered by the House.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Mr. Speaker announced the special order, being the bill (No. 339) entitled "An act relating to the rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company." (Int. No. 328.)

Said bill was read the second time.

On motion of Mr. Guider, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 1314) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, and constituting chapter 24 of the general laws,' relating to the taxation of municipal property." (Int. No. 467.)

Said bill having been announced for a second reading,

Mr. Kelsey moved to amend said bill as follows:

Page 1, line 4, strike out the word "subdivision."

Page 2, line 9, after the word "operation" insert a semicolon.

Same page, line 11, after the word "thereof" strike out a period and insert a comma and the following words: "and that municipal property not within the corporation, consisting of such aqueducts, reservoirs, conduits, tunnels, pipes and works shall not be assessed at a valuation exceeding fifty per centum of the cost of reproduction."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

} AYES 68 }
} NOES 53 }

Those who voted in the affirmative, were

Allds	Cross	Guider	Miles	Sage H M
Apgar	Doughty	Hallock	O'Connor	Sawyer
Axtell	Dutton	Hatch	Palmer	Sears
Babcock	Ellis	Henderson	Paris	Sprague
Baker	Evarts	Johnson	Patton	Stoneman
Ball	Fallows	Juengst	Post	Ten Eyck
Bedell	Fancher	Kelsey	Redington	Torborg
Beede	Farrell	Kullman	Riedman	Vincent
Brewster	Finn	Litchard	Rierdon	West
Bryan	Fish	Mazet	Roche	Whipple
Burnett	Fordyce	McInerney	Rogers	Wilson
Costello	Fowler	McKeown	Rowe	Wissel
Cottle	Gale	McMillan	Russell	Witter
Cowles	Gould	Meyer		

Those who voted in the negative, were

Barrett	Davis	Hoffman	O'Connell	Schmid F
Bashford	Dillon	Hutton	Phillips	Sharkey
Baum	Egan	Kane	Pickett	Siems
Boland	Fitzgerald	Lewis M E	Roberts	Smith J E

Brennan E	CGallagher	Lewis T D	Rodenbeck	Smith J T
Cain	Gardiner	Mangin	Sabine	Streifler
Coller	Gleason	Martin	Sanders	Sullivan WJ
Collins	Graham	McEwan	Sandford	Trainor
Cotton	Green	Meister	Sands	Tripp
Coughtry	Harburger	Mohring	Schmid A F	Ware
Darrison	Heller	Murphy		

On motion of Mr. Rodenbeck, the enacting clause of said bill was stricken out.

Mr. Speaker announced the special order, being the bill (No. 1700) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property." (Int. No. 1314.)

Said bill having been announced for a second reading,

Mr. Hoffman moved to amend said bill as follows:

Page 2, line 3, after the word "in" insert the words "each of the;" strike out the word "county" and insert the words "counties of the state."

Same page, lines 3 and 4, after the word "York" strike out the following, "and two persons in the county of Kings."

Same page, line 9, after the word "comptroller" strike out the words "by the comptroller of the city of New York and the county treasurer of Kings county."

By unanimous consent, Mr. McInerney moved to amend said bill as follows:

Page 2, lines 3 and 4, strike out the words "and two persons in the county of Kings."

Same page, lines 9 and 10, strike out the words "and the county treasurer of Kings county."

Same page, line 24, strike out the words "and the," and all of lines 25 and 26.

Page 3, all of lines 1, 2, 3, 4, 5, 6, 7, and all of line 8 up to and including the word "comptroller."

Page 6, line 24, strike out the word "and."

Same page, line 25, strike out the word "Kings."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Harburger	Meyer	Schmid F
Allds	Davis	Hatch	Miles	Schoeneck
Axtell	De Graw	Hays	Mohring	Sears
Babcock	Dillon	Heller	Murphy	Sharkey
Baker	Doughty	Henry	O'Connor	Siems
Ball	Egan	Hill	Palmer	Sloane J J
Barrett	Ellis	Hoffman	Paris	Smith J E
Bashford	Evarts	Hutton	Patton	Smith J T
Baum	Fallows	Johnson	Phillips	Snyder
Bedell	Fancher	Juengst	Pickett	Sprague
Beede	Farrell	Kane	Post	Stoneman
Brennan E C	Finn	Kelley E E	Poth	Streifler
Brennan J F	Fish	Kelly G T	Redington	Sullivan T P
Brewster	Fitzgerald	Kelsey	Rierdon	Ten Eyck
Brown	Fordyce	Kullman	Roberts	Thorn
Bryan	Fowler	Lewis M E	Roche	Torborg
Burnett	Gale	Lewis T D	Rodenbeck	Trainor
Cain	Gallagher	Litchard	Rogers	Tripp
Clark	Gardiner	Mangin	Russell	Vincent
Collier	Gleason	Martin	Sabine	Ware
Collins	Gould	Mazet	Sage H M	West
Costello	Graham	McEwan	Sage S B	Whipple
Cottle	Green	McInerney	Sanders	Wilson
Cotton	Greenwood	McKeown	Sands	Wingenfeld
Coughtry	Grossman	McMillan	Sawyer	Wissel
Cowles	Guider	Meister	Schmid A F	Witter
Cross	Hallock			

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Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Hoffman, and it was determined in the negative.

{ AYES 55 }
{ NOES 74 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Juengst	Palmer	Schoeneck
Barrett	Gale	Kane	Phillips	Sharkey
Bashford	Gallagher	Kelly G T	Pickett	Siems

Baum	Gould	Kullman	Poth	Sloane J J
Brennan J F	Green	Mangin	Redington	Smith J E
Brown	Grossman	McInerney	Riedman	Streidler
Cain	Guider	Meister	Rierdon	Sullivan T P
Collins	Harburger	Meyer	Sage S B	Torborg
Dillon	Heller	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Finn	Hutton	O'Connor	Schmid F	Wissel

Those who voted in the negative, were

Adler	Cotton	Gardiner	Mazet	Sears
Allds	Coughtry	Graham	McEwan	Smith J T
Axtell	Cowles	Hallock	McMillan	Snyder
Babcock	Cross	Hatch	Miles	Sprague
Baker	Darrison	Hays	Paris	Stoneman
Bedell	Davis	Henry	Patton	Ten Eyck
Beede	Doughty	Hill	Post	Thorn
Brennan E C	Dutton	Hitchcock	Roberts	Tripp
Brewster	Ellis	Johnson	Rodenbeck	Vincent
Bryan	Evarts	Kelley E E	Rogers	Ware
Burnett	Fallows	Kelsey	Russell	West
Clark	Fancher	Lewis M E	Sabine	Whipple
Collier	Fish	Lewis T D	Sage H M	Wilson
Costello	Fordyce	Litchard	Sands	Witter
Cottle	Fowler	Martin	Sawyer	

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McInerney, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker announced the special order, being the bill (No. 1385) entitled "An act to amend the Transportation Corporation Law, in relation to the inspection of gas meters, and providing for a deputy inspector for the borough of Brooklyn, in the city of New York, the employment of mechanics to assist the inspector of gas meters in his work, and for the payment of office and other expenditures necessary for the performance of the duties imposed by law upon said inspector of gas meters." (Int. No. 1128.)

Said bill having been announced for a second reading,

Mr. McKeown moved to amend said bill as follows:

Page 2, line 13, after the word "day" insert the words "who shall first undergo a civil service examination."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adler	Davis	Harburger	McKeown	Sawyer
Allds	Dillon	Hatch	McMillan	Schmid A F
Apgar	Doughty	Hays	Meyer	Schmid F
Axtell	Dutton	Heller	Miles	Schoeneck
Babcock	Egan	Henderson	Mohring	Sears
Baker	Ellis	Henry	Murphy	Sharkey
Ball	Evarts	Hill	Palmer	Siems
Barrett	Fallows	Hitchcock	Paris	Sloane J J
Bashford	Fancher	Hoffman	Patton	Smith J E
Baum	Farrell	Hutton	Phillips	Smith J T
Bedell	Finn	Johnson	Post	Sprague
Beede	Fish	Juengst	Poth	Stoneman
Boland	Fitzgerald	Kane	Redington	Streifler
Brennan J F	Fordyce	Kelley E E	Riedman	Sullivan T P
Brewster	Fowler	Kelly G T	Rierdon	Ten Eyck
Bryan	Gale	Kelsey	Roberts	Thorn
Burnett	Gallagher	Kullman	Roche	Torborg
Cain	Gardiner	Lewis M E	Rodenbeck	Trainor
Clark	Gleason	Lewis T D	Rogers	Tripp
Collier	Gould	Litchard	Russell	Ware
Cottle	Graham	Maher	Sabine	West
Cotton	Green	Mangin	Sage H M	Whipple
Coughtry	Greenwood	Martin	Sage S B	Wilson
Cowles	Grossman	Mazet	Sanders	Wingenfeld
Cross	Guider	McEwan	Sandford	Wissel
Darrison	Hallock	McInerney	Sands	Witter 130

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time before the bar of the House, with Messrs. Vincent and Snyder, each of whom, upon giving satisfactory explanation for being absent, were excused.

Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the negative.

Said bill was then read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Adler	Davis	Harburger	Meyer	Schmid F
Allds	De Graw	Hatch	Miles	Schoeneck
Apgar	Delaney	Hays	Murphy	Sears
Axtell	Dillon	Heller	O'Connor	Siems
Babcock	Doughty	Henderson	Palmer	Sloane J J
Baker	Dutton	Henry	Paris	Smith J E
Ball	Ellis	Hill	Patton	Smith J T
Bashford	Evarts	Hitchcock	Pickett	Snyder
Bedell	Fallows	Hoffman	Post	Sprague
Beede	Farrell	Hutton	Poth	Stoneman
Boland	Finn	Johnson	Redington	Streifler
Brennan J F	Fish	Juengst	Riedman	Sullivan T P
Brewster	Fitzgerald	Kelley E E	Rierdon	Sullivan W J
Bryan	Fordyce	Kelly G T	Roberts	Ten Eyck
Burnett	Fowler	Kelsey	Rodenbeck	Thorn
Cain	Gale	Kullman	Rogers	Torborg
Clark	Gallagher	Lewis M E	Rowe	Trainor
Collier	Gardiner	Lewis T D	Russell	Tripp
Collins	Gleason	Litchard	Sabine	Vincent
Costello	Gould	Mangin	Sage S B	Ware
Cottle	Graham	Martin	Sage H M	Whipple
Cotton	Green	Mazet	Sandford	Wilson
Coughtry	Greenwood	McEwan	Sands	Wingenfeld
Cowles	Grossman	McInerney	Sawyer	Wissel
Cross	Guider	McMillan	Schmid A F	Witter
Darrison	Hallock	Meister		

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Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Allds offered for the consideration of the House a resolution, in the words following:

Resolved, That Assembly Rules No. 3, 4, 5, 14, 16, 17, 20, 25, 26, 27, 28, 35, 36, 49, 52 and 55 be suspended for the purpose of reading and passing out of its order Assembly bill (No. 1962) en-

titled "An act to amend chapter 615 of the Laws of 1894, entitled 'An act to revise the charter of the city of Elmira,' relative to ward boundaries and the election of city officers." (Int. No. 1354.)

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof.

{ AYES 81 }
{ NOES 62 }

Those who voted in the affirmative, were

Adler	Cowles	Graham	Mazet	Sands
Allds	Cross	Greenwood	McEwan	Sawyer
Apgar	Darrison	Hallock	McMillan	Sears
Axtell	Davis	Hatch	Miles	Smith J T
Babcock	DeGraw	Hays	Murphy	Snyder
Baker	Doughty	Henry	Paris	Sprague
Bedell	Dutton	Hill	Patton	Stoneman
Beede	Ellis	Hitchcock	Post	Ten Eyck
Brewster	Evarts	Johnson	Roberts	Thorn
Bryan	Fallows	Kelley E E	Rodenbeck	Tripp
Burnett	Fancher	Kelsey	Rogers	Vincent
Clark	Fish	Lewis M E	Rowe	Ware
Collier	Fordyce	Lewis T D	Russell	West
Costello	Fowler	Litchard	Sabine	Whipple
Cottle	Gardiner	Martin	Sage H M	Wilson
Cotton	Gleason	Mason	Sandford	Witter
Coughtry				

Those who voted in the negative, were

Ball	Fitzgerald	Kane	Palmer	Schoeneck
Barrett	Gale	Kelly G T	Phillips	Sharkey
Bashford	Gallagher	Kullman	Pickett	Siems
Baum	Gould	Maher	Poth	Sloane J J
Boland	Green	Mangin	Redington	Smith J E
Brennan J F	Grossman	McInerney	Riedman	Streifler
Brown	Guider	McKeown	Rierdon	Sullivan T P
Cain	Harburger	Meister	Roche	Sullivan W J
Collins	Heller	Meyer	Sage S B	Torborg
Dillon	Henderson	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connor	Schmid F	Wissel
Finn	Juengst			

Said bill having been announced for a second reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Said bill was then read the second time.

Mr. Allds moved that said bill be ordered to a third reading.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 56 }

Those who voted in the affirmative, were

Adler	Cotton	Gardiner	Martin	Sandford
Allds	Coughtry	Gleason	Mazet	Sands
Apgar	Cowles	Graham	McEwan	Sawyer
Axtell	Cross	Greenwood	McMillan	Sears
Babcock	Darrison	Hallock	Miles	Smith J T
Baker	Davis	Hatch	Murphy	Snyder
Bedell	De Graw	Hays	Paris	Sprague
Beede	Delaney	Henry	Patton	Stoneman
Brennan E C	Doughty	Hill	Post	Thorn
Brewster	Dutton	Hitchcock	Roberts	Tripp
Bryan	Ellis	Johnson	Rodenbeck	Vincent
Burnett	Evarts	Kelley E E	Rogers	Ware
Clark	Fallows	Kelsey	Rowe	West
Collier	Fish	Lewis M E	Russell	Whipple
Costello	Fordyce	Lewis T D	Sabine	Wilson
Cottle	Fowler	Litchard	Sage H M	Witter

Those who voted in the negative, were

Ball	Fitzgerald	Hutton	Phillips	Schoeneck
Barrett	Gale	Juengst	Pickett	Siems
Bashford	Gallagher	Kane	Poth	Sloane J J

Baum	Gould	Kelly G T	Redington	Smith J E
Boland	Green	Kullman	Riedman	Streifler
Brennan J F	Grossman	Mangin	Rierdon	Sullivan T P
Brown	Guider	McInerney	Roche	Sullivan W J
Cain	Harburger	Meister	Sage S B	Torborg
Collins	Heller	Meyer	Sanders	Trainor
Dillon	Henderson	O'Connor	Schmid A F	Wingensfeld
Farrell	Hoffman	Palmer	Schmid F	Wissel
Finn				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the Senate bill (No. 405) entitled "An act to amend article 5 of the Executive Law relating to the Attorney-General." (Rec. No. 214.)

Said bill having been announced for a second reading,

Mr. Finn moved to amend said bill as follows:

Page 2, line 3, strike out all after the word "thereon" down to and including the word "code" on line 17.

Same page, strike out after the word "general" on line 19 down to and including the word "therein" on line 20.

Same page, line 22, strike out the words "said state superintendent of election" and insert the words "the district attorney of said county."

Mr. Allds moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Adler	Darrison	Hatch	Miles	Schmid A F
Allds	Davis	Hays	Mohring	Schmid F
Apgar	De Graw	Heller	Murphy	Schoeneck
Axtell	Dillon	Henderson	O'Connell	Sears
Babcock	Doughty	Henry	O'Connor	Sharkey
Baker	Dutton	Hill	Palmer	Siems
Ball	Egan	Hitchcock	Paris	Sloane J J
Barrett	Ellis	Hoffman	Patton	Smith J E
Bashford	Evarts	Hutton	Pickett	Smith J T
Baum	Fallows	Johnson	Post	Snyder
Bedell	Fancher	Juengst	Poth	Sprague
Beede	Farrell	Kelley E E	Redington	Stoneman
Boland	Fish	Kelly G T	Riedman	Streifler

Brennan E C	Fitzgerald	Kelsey	Rierdon	Sullivan T P
Brennan J F	Fordyce	Kullman	Roberts	Sullivan W J
Brewster	Fowler	Lewis M E	Roche	Ten Eyck
Bryan	Gale	Lewis T D	Rodenbeck	Thorn
Burnett	Gallagher	Litchard	Rogers	Torborg
Cain	Gardiner	Maher	Rowe	Trainor
Clark	Gleason	Mangin	Russell	Tripp
Collier	Gould	Martin	Sabine	Vincent
Collins	Graham	Mazet	Sage H M	West
Costello	Green	McEwan	Sage S B	Whipple
Cottle	Greenwood	McInerney	Sanders	Wilson
Cotton	Grossman	McKeown	Sandford	Wingenfeld
Coughtry	Guider	McMillan	Sands	Wissel
Cowles	Hallock	Meister	Sawyer	Witter
Cross	Harburger	Meyer		

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Mr. Allds moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Finn, and it was determined in the negative.

{ AYES 60 }
{ NOES 81 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Juengst	O'Connor	Schoeneck
Barrett	Gale	Kane	Palmer	Sharkey
Bashford	Gallagher	Kelly G T	Phillips	Siems
Baum	Gould	Kullman	Pickett	Sloane J J
Boland	Green	Maher	Poth	Smith J E
Brennan J F	Grossman	Mangin	Redington	Streifler
Cain	Guider	McInerney	Rierdon	Sullivan T P
Collins	Harburger	McKeown	Roche	Sullivan W J
Dillon	Heller	Meister	Sage S B	Torborg
Egan	Henderson	Meyer	Sanders	Trainor
Farrell	Hoffman	Mohring	Schmid A F	Wingenfeld
Finn	Hutton	O'Connell	Schmid F	Wissel

Those who voted in the negative, were

Adler	Coughtry	Gleason	Mazet	Sands
Allds	Cowles	Graham	McEwan	Sawyer
Apgar	Cross	Greenwood	McMillan	Sears
Axtell	Darrison	Hallock	Miles	Smith J T

Babcock	Davis	Hatch	Murphy	Snyder
Baker	De Graw	Hays	Paris	Sprague
Bedell	Doughty	Henry	Patton	Stoneman
Beede	Dutton	Hill	Post	Ten Eyck
Brennan E	Cellis	Hitchcock	Roberts	Thorn
Brewster	Evarts	Johnson	Rodenbeck	Tripp
Bryan	Fallows	Kelley E E	Rogers	Vincent
Burnett	Fancher	Kelsey	Rowe	Ware
Clark	Fish	Lewis M E	Russell	West
Collier	Fordyce	Lewis T D	Sabine	Whipple
Costello	Fowler	Litchard	Sage H M	Wilson
Cottle	Gardiner	Martin	Sandford	Witter
Cotton				

On motion of Mr. Mazet, said bill was then read the second time and ordered to a third reading.

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 81 }
{ NOES 62 }

Those who voted in the affirmative, were

Adler	Coughtry	Gleason	Mazet	Sands
Allds	Cowles	Graham	McEwan	Sawyer
Apgar	Cross	Greenwood	McMillan	Sears
Axtell	Darrison	Hallock	Miles	Smith J T
Babcock	Davis	Hatch	Murphy	Snyder
Baker	De Graw	Hays	Paris	Sprague
Bedell	Doughty	Henry	Patton	Stoneman
Beede	Dutton	Hill	Post	Ten Eyck
Brennan EC	Ellis	Hitchcock	Roberts	Thorn
Brewster	Evarts	Johnson	Rodenbeck	Tripp

Bryan	Fallows	Kelley E E	Rogers	Vincent
Burnett	Fancher	Kelsey	Rowe	Ware
Clark	Fish	Lewis M E	Russell	West
Collier	Fordyce	Lewis T D	Sabine	Whipple
Costello	Fowler	Litchard	Sage H M	Wilson
Cottle	Gardiner	Martin	Sandford	Witter
Cotton				

Those who voted in the negative, were

Ball	Fitzgerald	Kane	Palmer	Schoeneck
Barrett	Gale	Kelly G T	Phillips	Sharkey
Bashford	Gallagher	Kullman	Pickett	Siems
Baum	Gould	Maher	Poth	Sloane J J
Boland	Green	Mangin	Redington	Smith J E
Brennan J F	Grossman	McInerney	Riedman	Streifler
Brown	Guider	McKeown	Rierdon	Sullivan T P
Cain	Harburger	Meister	Roche	Sullivan W J
Collins	Heller	Meyer	Sage S B	Torborg
Dillon	Henderson	Mohring	Sanders	Trainor
Egan	Hoffman	O'Connell	Schmid A F	Wingenfeld
Farrell	Hutton	O'Connor	Schmid F	Wissel
Finn	Juengst			

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1990) entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abatement and removal of sources of pollution,' relative to the acquisition of additional lands, and the employment of additional assistants to carry out the provisions of this act" (Int. No. 1250), having been announced for a third reading,

On motion of Mr. M. E. Lewis, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 916) entitled "An act to amend chapter 1018 of the Laws of 1895, entitled 'An act to provide for the sanitary protection of the sources of water supply of the city of Rochester, by the acquisition by said city of real property and interests therein necessary for that purpose and by the abate-

ment and removal of sources of pollution ' ' (Rec. No. 287), having been announced for a third reading.

Mr. M. E. Lewis moved that said bill be recommitted to the committee on affairs of cities, with instructions to report the same forthwith amended as follows:

Page 2, line 5, strike out all after the word "thereof" to and including all of line 11.

Page 3, line 18, strike out all of line and all of line 19 to and including the word "therein."

Page 5, line 4, strike out all of said line and insert as follows: "§ 5. Section five of said act is hereby repealed."

Same page, line 5, strike out "§ 5" and insert "§ 6."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Mazet, from the committee on affairs of cities, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

By unanimous consent, Mr. T. P. Sullivan called up the bill (No. 412) entitled "An act to provide for the election of school directors in the several towns of this State and to prescribe their powers and duties" (Int. No. 397), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. T. P. Sullivan, said bill was ordered stricken from the calendar.

By unanimous consent, Mr. Apgar called up the bill (No. 1840) entitled "An act to amend the Fisheries, Game and Forest Law, in relation to taking shad in the Hudson river" (Int. No. 233), heretofore laid aside on the order of second reading.

Said bill having been announced for a second reading,

On motion of Mr. Apgar, said bill was recommitted to the committee on fisheries and game, retaining its place on the order of second reading.

By unanimous consent, Mr. T. P. Sullivan called up the bill (No. 1493) entitled "An act to enable the fire commissioner of the city of New York to rehear and determine the charges against Henry A. Rehwinkel, a fireman of the first grade, for reinstatement in

said department" (Int. No. 1199), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. T. P. Sullivan, said bill was ordered stricken from the calendar.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. M. E. Lewis, Int. No. 1501, entitled "An act to amend the Town Law, and the acts amendatory thereof, relative to the holding of biennial town meetings" (No. 2095), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. McMillan, Int. No. 1483, entitled "An act to legalize and confirm the official acts of Marshall B. McKinley as a notary public in and for the county of Schenectady" (No. 2023), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bedell, Int. No. 1382, entitled "An act to amend chapter 940 of the Laws of 1896, entitled 'An act incorporating the International Bond and Debenture Company,' as amended by chapter 203 of the Laws of 1898" (No. 1847), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kelsey, Int. No. 1358, entitled "An act to facilitate the revision of the general statutes and the codes." (No. 1780), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Gale, Int. No. 1343, entitled "An act to release to John Hermanson, all the right, title and

interest of the people of the State of New York in and to certain real estate" (No. 1765), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Greenwood, Int. No. 1282, entitled "An act to secure rights of members of associations" (No. 1681), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kelsey, Int. No. 1253, entitled "An act to amend chapter 165 of the Laws of 1898, entitled 'An act for the registration of all persons duly admitted and licensed to practice as attorneys-at-law or as attorneys and counsellors-at-law in the courts of record of this State'" (No. 1576), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Kelsey, Int. No. 893, entitled "An act to authorize the commissioners of the land office to exchange certain parcels of land with the Western New York and Pennsylvania Railway Company" (No. 1021), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bedell, Int. No. 517, entitled "An act regarding the title of purchasers or incumbrancers of real property sold to guardians in socage under judgments in actions for the partition of such property" (No. 544), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was

recommitted the bill introduced by Mr. Patton, Int. No. 1507, entitled "An act to authorize and empower the town board of the town of Tonawanda in Erie county, to refund the indebtedness created for improving the Delaware road in said town and to provide for the payment thereof" (No. 2059), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Bryan, Int. No. 1482, entitled "An act to legalize and confirm the official acts of Herbert G. Steele, a justice of the peace of the town of Brownville, Jefferson county" (No. 2022), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Litchard, Int. No. 1427, entitled "An act to amend chapter 605 of the Laws of 1898, relating to the condemnation of cemeteries by The Genesee River Company, and to provide for the removal of bodies therefrom" (No. 1903), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading and referred to the committee on revision.

Mr. Kelsey, from the committee on the judiciary, to which was referred the bill introduced by Mr. Collier, Int. No. 1499, entitled "An act in relation to judicial sales in the county of Kings" (No. 2093), reported the same with the following amendment, and request that said bill be recommitted to said committee.

Page 1, line 5, after the word "not" insert the words "It shall not be necessary for any of the parties to the action to consent to the appointment of such referee."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 226, entitled "An act to amend chapter 422 of the Laws of 1898, entitled 'An act to license and regulate the business of private detectives and detective agencies'" (No. 1071), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Sherwood, Rec. No. 291, entitled "An act to amend section 11 of the Membership Corporation Law, entitled 'An act relative to membership corporations'" (No. 1128), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 293, entitled "An act to repeal certain acts and parts of acts, relating to sentences of persons convicted of felonies" (No. 1065), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ellsworth, Rec. No. 265, entitled "An act to amend chapter 566 of the Laws of 1890, entitled 'An act in relation to transportation corporations excepting railroads, constituting chapter 40 of the general laws' and the several acts amendatory thereof" (No. 1152), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 246, entitled "An act to amend chapter 18 of the general laws, known as the County Law, being chapter 686 of the Laws of 1892, with

respect to coroners, and to add an additional section to said chapter " (No. 722), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Chahoon, Rec. No. 17, entitled " An act to authorize the Comptroller of the State to hear and determine the application of the superintendent of State prisons on behalf of the people of the State of New York for cancellation of a tax sale of certain lands in lot 237, Refugee tract, Clinton county " (No. 91), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. White, Rec. No. 318, entitled " An act in relation to the civil service of the State of New York and the cities and civil divisions thereof " (No. 1149), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 6, line 6, after the word " any " insert the words " city or."

Page 7, line 13, after the word " college " insert a period, and strike out all after said word " college " down to and including the word " authorities " on line 15.

Page 8, lines 16 and 17, strike out the words " judicial district of the state, for " and insert the following: " of the following places: Albany, Amsterdam, Auburn, Binghamton, Buffalo, Dunkirk, Elmira, Geneva, Hornellsville, Ithaca, Jamestown, Johnstown, Kingston, Lockport, Malone, Middletown, Newburg, New York, Odgensburg, Olean, Oneonta, Oswego, Plattsburg, Poughkeepsie, Rochester, Saratoga, Syracuse, Utica and Watertown; and shall cover in each place."

Page 14, lines 2 and 3, strike out the words " or when the existing list is likely to be exhausted."

Same page, line 3, strike out the word " certification " and insert the word " appointment."

Same page, line 12, after the word " locality " insert the words " outside of Albany county."

Page 15, line 13, beginning with the word " examination " strike out all down to and including the word " facilities " on line 22.

Page 25, line 18, strike out the word "request" and insert the word "respect."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Kelsey, from the committee on the judiciary, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 209, entitled "An act authorizing the practice of medicine by certain persons" (No. 644), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, line 3, after the word "regiment" insert the words "or battalion organized or," also at the end of line strike out the word "and" and insert the words "whether it was."

Same page, line 4, strike out the words "in the war" and insert the words "during the late war."

Same page, line 5, after the word "Spain" insert the words "or not."

Same page, line 7, beginning with the word "within" strike out balance of section and insert the following: "shall not be required to pass a regents examination, but may apply directly for examination by the state board of medical examiners."

Page 2, line 1, strike out all of section after the figure 2 and insert the words "This act shall take effect immediately."

OTTO KELSEY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Kullman, Int. No. 1192, entitled "An act to establish the office of public administrator in the county of Richmond" (No. 1486), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. E. C. Brennan, Int. No. 1509, entitled "An act to authorize the police board of the city of New York to inquire into the dismissal from the police force of

Patrick Ginley, a patrolman, and in its discretion to reinstate him " (No. 2098), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Boland, Int. No. 1368, entitled "An act to authorize the city of Buffalo to pay to soldiers and sailors of the United States during the late war with Spain, and who were in the employ of the city at the time of their enlistment and have returned to such employ, the salary or compensation to which they would have been entitled if they had remained in the employ of the city " (No. 1801), reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, insert after the word " council " the words " and the mayor."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the bill introduced by Mr. Henderson, Int. No. 269, entitled "An act to make and establish the rates of fare on railroads operating within the limits of a city having a population of more than one million five hundred thousand inhabitants " (No. 269), reported in favor of the passage of the same, with the following amendment:

Page 1, line 3, insert after the word " power " the words " excepting steam or electric surface railroads incorporated under the laws of this state and operated wholly within the limits of this state."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was recommitted the bill introduced by Mr. Sherwood, Int. No. 200, entitled "An act to establish and maintain a water department in and for the city of Hornellsville " (No. 2010), retaining its

place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mackey, Rec. No. 223, entitled "An act to amend chapter 105 of the Laws of the year 1891, entitled 'An act to revise the charter of the city of Buffalo,' in relation to justices of the peace" (No. 981), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Mackey, Rec. No. 222, entitled "An act to amend section 478 of chapter 105 of the Laws of 1891, entitled 'An act to revise the charter of the city of Buffalo,' with reference to bonds given for the performance of contracts" (No. 858), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Stranahan, Rec. No. 195, entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' in relation to buildings in the county of New York" (No. 525), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Ahearn, Rec. No. 138, entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the

county of Queens, and to provide for the government thereof, relative to the salaries of teachers in the public schools " (No. 62), reported in favor of the passage of the same, with the following amendments:

Pages 2 and 3, line 14, strike out all underscored matter beginning with the words " No regular teacher " on line 14, page 2, and ending with the words " per annum " on line 3, and insert the following:

" No regular teacher in the public schools of either of the boroughs shall be paid a sum less than six hundred dollars per annum. No teacher shall, after ten years of service in the public schools of said boroughs, receive less than nine hundred dollars per annum; nor shall any teacher, after fifteen years of service in said schools receive less than twelve hundred dollars per annum; and no vice principal, head of department, or first assistant in said schools shall be paid less than fourteen hundred dollars per annum; and no male teacher after twelve years of service in said schools shall receive less than two thousand and one hundred and sixty dollars per annum; provided, however, that the service of such teacher, vice-principal, head of department, or first assistant shall have been approved after inspection and investigation as fit and meritorious by a majority of the borough board of school superintendents. For all purposes affecting the increase of salaries of the teachers in any school, the principal of such school shall have a seat in the borough board of superintendents with a vote on all increases of salaries of teachers in said school. No male principal, after ten years of service as principal in said schools, shall receive less than three thousand five hundred dollars per annum; and no woman principal of ten years service as principal in said schools shall receive less than twenty-five hundred dollars per annum, provided, however, that the service of such principal shall have been approved after inspection and investigation as fit and meritorious by the borough board of superintendents; but these provisions shall not apply to principals of schools of less than twelve classes. No salary now paid to any public school teacher in the city of New York shall be reduced by the operation of this act."

" § 2. The board of estimate and apportionment is hereby authorized and required to direct the issue of revenue bonds for the purpose of providing funds to carry into effect the provisions of this act."

Same page, line 9, strike out the figure " 2 " and insert the figure " 3."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Rice, Rec. No. 290, entitled "An act to amend chapter 747 of the Laws of 1896, entitled 'An act to revise and consolidate the several acts in relation to the city of Kingston, to revise the charter of said city, and to establish a city court therein and define its jurisdiction and powers'" (No. 948), reported in favor of the passage of the same, with the following amendments:

Beginning with section 1, page 1, strike out everything on pages 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, ending with the words "year eighteen hundred and ninety-nine," line 2, page 16, and insert the following:

"Section 1. Section one hundred and fifty-one of chapter seven hundred forty-seven of the laws of eighteen hundred and ninety-six is amended to read as follows:

"§ 151. All improvements to be paid for by special assessment shall be by contract let to the lowest responsible bidder and shall be paid for only from the funds raised, levied and collected for such improvements subject to the provisions of this section. The common council [may], however, [on the confirmation of the assessment for such improvement issue certificates of indebtedness in anticipation of the collection thereof. Such certificates shall be in the name of and under the seal of the city, signed by its mayor and city clerk and be payable not more than two years from date out of the funds collected by such assessment.] After the damages, costs and expenses in condemnation proceedings taken pursuant to section one hundred and forty-four of this act have been fixed by the order of confirmation in such proceedings, and monthly in the continuance of work under a contract for any local improvement made pursuant to section one hundred and forty-seven of this act, the contractor for which shall have furnished a satisfactory bond, approved by the mayor for its completion, shall direct the mayor and city treasurer to execute under the seal of the city the bonds or promissory notes of the city for such sums as will pay the amount of the damages, costs and expenses in such condemnation proceedings as fixed by such order of confirmation or seventy-five per centum of the amount of the monthly estimates of work performed by such contractor during the preceding month, to be determined as hereinafter prescribed; and on the completion of such work for the balance due on the contract. Such bonds or notes shall bear interest at a rate

not exceeding four per centum per annum payable annually. The principal thereof shall be made payable at a time to be fixed by the common council not to exceed five years and six months from the date of issue where the total amount to be paid under the order of confirmation or contract for local improvement is less than ten thousand dollars or ten years and six months in any other case. The city treasurer, under the direction of the common council shall sell or dispose of said bonds or notes to the highest bidder by a sale at public auction at not less than par after publication of a notice of such sale for at least eight days in the official newspapers of said city. The proceeds of the sale of such bonds or notes shall be used for no other purpose than to defray the cost and expense of the improvement on account of which they are issued which particular improvement shall be stated in each bond or note. The principal and interest of such bonds or notes shall be paid by the city treasurer when due out of the amount collected on the special assessment on account of which they were made. If there is not sufficient money collected on such assessments in the hands of the city treasurer, to pay the amount of any such bond or note when it becomes due, the common council shall borrow upon the note or notes of the city the amount required to pay such deficiency, which note or notes shall be paid out of the moneys finally collected on such special assessment. If at the end of six months after the last installment of such special assessment becomes due and payable, any of such city notes given to raise money to pay such deficiency remain unpaid, the surplus of the amount due thereon for principal and interest over the moneys in possession of the city treasurer collected upon such special assessment shall be raised by general tax and included in the next annual tax levy. No bonds or notes shall be made under this act when the amount of the bonds or notes previously made under such authority and remaining unpaid, with the amount of such bonds or notes required to complete and pay for any local improvements which may have been ordered shall exceed the sum of two hundred thousand dollars. On receipt of sufficient funds from the proceeds of the sale of the bonds or notes provided for by this section the city treasurer shall immediately pay the damages, costs and expenses of any condemnation proceedings to pay which said bonds and notes were issued. The city engineer shall furnish to the common council monthly during the continuance of work performed under a contract for any improvement made pursuant to section one hundred and forty-seven of this act which is to be paid for in whole or in part by special assessment, a detailed estimate of the actual value, according to the contract price, of the work done during the preceding calendar month. The common council shall thereupon authorize the mayor and city clerk to issue to the contractor

for such improvement a warrant for a sum not exceeding seventy-five per centum of the amount of such monthly estimate and the warrants so issued shall be paid from the proceeds of the bonds or notes to be issued for such improvement as authorized by this section. When the work to be done under such contract is completed according to the plans and specifications of the improvement, the city engineer and the committee of the common council having the matter in charge shall so certify to the common council, which, if it accepts the work, shall authorize the mayor and city clerk to issue to such contractor a warrant for the balance due him, which warrant shall be paid in the same manner as such monthly warrants. When any assessment pursuant to sections one hundred and forty-five or one hundred and forty-seven of this title, confirmed by the court or common council is filed with the city clerk, he shall as soon as practicable give notice thereof to the owners of the lands affected thereby appearing by the certificate of such assessment to be such owners, by mail, to the postoffice addresses of such owners so far as the same are known to said clerk or can with reasonable diligence be ascertained by him. Such notices shall contain a statement that such owners can pay the assessments in cash or by installments. If, within ten days after the mailing of such notices, any owner affected thereby elects to pay in cash, by filing with the clerk written notice of such election, his assessment shall be collected as prescribed in title twelve of this act. All other special assessments made pursuant to said section and a part of the damages, costs and expenses in condemnation proceedings and of the expense of such local improvements made under section one hundred and forty-seven to be paid by general tax on the city at large, shall become due and payable in equal annual installments. Where the total amount to be paid under the order of confirmation or contract for local improvement is less than ten thousand dollars the number of such installments shall be five; in any other case ten. The first of such equal annual installments of the part of such damages, costs and expenses or of the expense of such local improvement to be paid by general tax on the city at large shall be included in the next annual tax levy, and one of the remaining equal annual installments thereof shall be included in each succeeding annual tax levy, with interest at the rate borne by the bonds or notes issued to provide money to pay for such improvement as hereinbefore provided, on the amount of the part of such damages, costs and expenses or of the expense of such local improvement to be paid by such general tax remaining unpaid; such interest to be calculated up to the time when the next installment of interest on such bonds or notes becomes payable. The first of such equal annual installments to be paid by

the owners of lots or parcels of land, against which such special assessment shall be assessed by the commissioners in such condemnation proceedings, pursuant to section one hundred and forty-five of this act or by the assessor of said city, pursuant to section one hundred and forty-seven of this act, shall be payable after the delivery of the warrant for the collection thereof to the treasurer, in the manner prescribed for the payment of taxes, by title twelve of this act, and one of such equal annual installments shall be due and payable annually thereafter in the same manner, and without any further or additional notice, until the whole amount of such special assessment is paid. There shall be due and payable with each installment of said assessment, as a part of the assessment, interest at the rate borne by the bonds or notes issued to provide money to pay for such improvement as hereinbefore provided upon the entire amount of such assessment remaining unpaid. The owner of any lot or parcel of land so assessed may at any time pay to the city treasurer the entire amount of the assessment on his land with the interest accrued thereon up to the time of such payment, and thereupon such lot or parcel of land shall be discharged of and from the lien of such assessment. In case any installment of such assessment, together with the interest due thereon, shall not be paid when it shall become due and payable as herein provided, the same proceedings shall be had for the collection of such unpaid assessments, including the sale of lands against which said assessments may have been assessed as are authorized and provided by title twelve of this act, for the collection of taxes, levied by the said common council in said annual tax levy. In case of the sale by the owner of the lands assessed, they shall be sold subject to the lien of all portions of such assessments as shall be payable subsequently, and all other city assessments then a lien thereon. The common council may provide for the payment of the damages, costs and expenses in the condemnation proceedings brought by the city of Kingston against the Union Plank Road Company of the city of Kingston and others, amounting to the sum of eight thousand nine hundred and twenty-two dollars and ninety-nine cents, and of the damages, costs and expenses in the condemnation proceedings brought against Matilda O. Terry and others, amounting to the sum of three thousand one hundred and twenty dollars and seventy-five cents and for the payment of the assessments made or to be made by the commissioners in both of these proceedings, and for any other unfinished local improvements to be paid for by special assessment, in the manner herein provided. Where the total expense of any improvement mentioned in this section shall not exceed the sum of five hundred dollars, the common council may, by ordinance, de-

clare such improvement excepted from the operation of this section, but such exception shall not allow the same, if to be paid for by special assessment, to be done otherwise than by contract let to the lowest responsible bidder. In the case of an improvement so accepted the common council shall, on the completion and acceptance of the work issue the bonds or notes of the city payable not more than six months from the date thereof with interest at a rate not greater than four per centum, and with the proceeds thereof sold at not less than par as hereinbefore provided pay the contractor for such improvement. Said bonds or notes shall be paid from the assessment and taxed therefor when collected."

Amend the title by striking out the period after the word "powers" in last line and insert a comma and the words "in relation to local improvements."

ROBERT MAZET,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 282, entitled "An act to amend chapter 378, of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning" (No. 451), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 1, strike out entire section 1 and insert the following:

"Section 1. Section five hundred and thirty-six of chapter three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' is hereby amended to read as follows:"

Page 2, line 11, insert after the words "general superintendent" the words "one assistant superintendent."

Page 3, line 2, strike out the word "commissioners" and insert the word "commissioner."

Same page, line 24, insert after the word "each" the words "of the drivers seven hundred and twenty dollars each."

Page 4, line 6, strike out the word "commissioners" and insert the word "commissioner."

Page 5, line 3, insert brackets before and after the word "not."

Same page, line 22, insert the word "herein" after the word "manner," also strike out the words "herein as to" and insert the words "the advertising and execution of."

Amend the title, line 5, by inserting after the word "harbor" the words "including the city and county of New York."

ROBERT MAZET,

Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. Cottle, from the committee on internal affairs, to which was referred the bill introduced by Mr. Greenwood, Int. No. 1514, entitled "An act to authorize the town board of the town of Galen, Wayne county, to execute and negotiate notes for the purpose of raising money to pay certain indebtedness of said town, pursuant to a vote and resolution of the town meeting held March 7, 1899" (No. 2103), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading.

On motion of Mr. Greenwood, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 128 {
} NOES 00 {

Those who voted in the affirmative, were

Adler	Cotton	Grossman	McMillan	Sands
Allds	Cowles	Guider	Meister	Schmid A F
Apgar	Cross	Hallock	Meyer	Schmid F

Axtell	Darrison	Harburger	Miles	Schoeneck
Babcock	Davis	Hatch	Mohring	Sears
Baker	Dean	Hays	Murphy	Sharkey
Ball	De Graw	Heller	O'Connell	Siems
Barrett	Delaney	Henderson	O'Connor	Slater
Bashford	Dillon	Henry	Palmer	Sloane C A
Baum	Doughty	Hill	Paris	Smith J T
Bedell	Dutton	Kane	Patton	Snyder
Beede	Ellis	Kelley E E	Phillips	Sprague
Boland	Evarts	Kelly G T	Pickett	Stoneman
Brennan E C	Fallows	Kelsey	Roberts	Streifler
Brennan J F	Fancher	Kullman	Roche	Sullivan T P
Brewster	Farrell	Lewis M E	Rodenbeck	Sullivan W J
Brown	Fitzgerald	Lewis T D	Rogers	Ten Eyck
Bryan	Fordyce	Litchard	Rowe	Thorn
Bulkley	Fowler	Maher	Russell	Torborg
Burnett	Gale	Mangin	Sabine	Trainor
Cain	Gardiner	Martin	Sage H M	Tripp
Clark	Gleason	Mason	Sage S B	Vincent
Collier	Gould	Mazet	Sanders	Ware
Collins	Graham	McEwan	Sandford	Wissel
Costello	Green	McInerney	Sawyer	Witter
Cottle	Greenwood	McKeown		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Cottle, from the committee on internal affairs, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 281, entitled "An act for the sanitary protection of the public water supply of the cities, towns and villages in the county of St. Lawrence" (No. 1036), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Ellis, from the committee on affairs of villages, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 317, entitled "An act to amend section 161, article 5, chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws'" (No. 1070), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was re-

ferred the bill introduced by Mr. G. T. Kelly, Int. No. 1424, entitled "An act to amend section 25 of the Banking Law, relating to restrictions upon corporations or bankers" (No. 1900), reported in favor of the passage of the same, with the following amendment:

Page 1, after line 10, add the following:

"§ 2. This act shall take effect immediately."

JAMES B. McEWAN,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. Palmer, Int. No. 1466, entitled "An act to enable persons who have deposited money in a bank and have lost the certificate, or the same has been destroyed, to draw the money due thereon" (No. 1986), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. McEwan, from the committee on banks, to which was referred the bill introduced by Mr. Slater, Int. No. 1504, entitled "An act to amend the Banking Law, in relation to the rights of shareholders of co-operative savings and loan associations" (No. 2062), reported the same with the following amendments, and request that said bill be recommitted to said committee:

Page 2, line 7, after the word "accumulations" insert the words "of not less than two years."

Same page, line 12, after the word "deemed" strike out the word "impaired" and insert the words "to be insolvent."

Same page, line 14, after the word "of" strike out the words "the impairment of the capital stock of a corporation or individual banker" and insert in place thereof the words "an insolvent corporation."

JAMES B. McEWAN,
Chairman.

Which report was agreed to, and said bill ordered reprinted and recommitted to said committee.

Mr. McEwan, from the committee on banks, to which was referred the Senate bill introduced by Mr. Humphrey, Rec. No. 238, entitled "An act to amend the Banking Law in regard to impairment of capital and appointment of receivers or commissioners" (No. 1028), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Mason, Int. No. 1522, entitled "An act conferring upon the Board of Claims jurisdiction to hear, audit and determine the claim of Henri D. Dickinson against the State and to make an award therefor" (No. 2122), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Murphy, from the committee on public education, to which was referred the bill introduced by Mr. Vincent, Int. No. 1077, entitled "An act to amend section 30 of article 5 of title 8 of chapter 556 of the Laws of 1894, known as the 'Consolidated School Law' relating to the alteration of union free school districts" (No. 1290), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Murphy, from the committee on public education, to which was referred the bill introduced by Mr. Murphy, Int. No. 1230, entitled "An act for the registration of institutions and schools for the education of the blind, deaf mutes, and other defectives as educational institutions in the department of public instruction, and to provide for their visitation and inspection by that department" (No. 1561), reported in favor of the passage of the same with the following amendments, retaining its place on the order of second reading:

Page 1, line 2, after the word "blind" insert the word "and."
Same page, line 3, strike out the letter "s" in the word "mutes," and also the words "or other defective."

Page 2, line 10, after the word "blind" insert the word "and."
Same page, line 10, strike out the words "or other defectives."

Same page, line 11, strike out the word "shall" and insert the word "may."

Same page, line 12, strike out the word "cancellation."

Same page, strike out lines 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 and 25.

Same page, line 26, strike out the word "whatsoever."

Same page, line 26, before the word "Reports" insert "§ 2," and after the word "school" insert the words "wholly educational in character."

Page 3, line 7, after the word "blind" insert the word "and," also after the word "mute" strike out the words "or other defective."

Amend the title so as to read as follows: "An act for the registration of institutions and schools for the education of the blind and deaf-mutes, as educational institutions in the department of public instruction."

RICHARD MURPHY,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and restored to its place on the order of second reading.

Mr. Murphy, from the committee on public education, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 256, entitled "An act to amend chapter 397 of the Laws of 1881, entitled 'An act in relation to the public schools in the city of Yonkers'" (No. 261), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fordyce, from the committee on public health, to which was referred the bill introduced by Mr. Fordyce, Int. No. 1472, entitled "An act entitled an act for the protection and improvement of the purity of the waters of the State, and conferring additional powers on the State Board of Health" (No. 2013), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill introduced by the special committee of the Assembly to investigate the Surrogate's Court in New York county (No. 1700) entitled "An act to amend chapter 908 of the

Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property" (Int. No. 1314), reported the same without recommendation, which report was agreed to, and said bill ordered engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred Senate bill No. 1212, Rec. No. 331, and Assembly bill, No. 2080, Int. No. 1440, entitled "An act to amend section 518 of chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relating to the Aqueduct Commissioners" reported that they have compared the same and find that they are identical, which report was agreed to, and said Senate bill ordered substituted for said Assembly bill, and placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1572) entitled "An act to amend chapter 818 of the Laws of 1868, entitled 'An act to incorporate the village of Port Chester'" (Int. No. 1249), reported the same with the following recommendations:

Page 2, line 4, after the word "three" insert the words "as amended by chapter one hundred and fifty-six of the laws of eighteen hundred and eighty-one, which said chapter adds subdivision twenty-one, as amended by chapter two hundred and twenty of the laws of eighteen hundred and eighty-three, which said chapter adds subdivision twenty-two, as amended by chapter six hundred and twenty-three of the laws of eighteen hundred and ninety-four, which said chapter added new subdivisions from twenty-three to thirty-six both inclusive."

Page 3, line 2, after the word "eighteen" insert the words "as amended by chapter sixty-five of the laws of eighteen hundred and eighty-eight, as amended by chapter two hundred and fifty-six of the laws of eighteen hundred and ninety, which said chapter repealed chapter five hundred and forty-two of the laws

of eighteen hundred and eighty-seven, and re-enacted sections fifty to fifty-three, both inclusive, as amended by chapter six hundred and twenty-three of the laws of eighteen hundred and ninety-four which said chapter adds section fifty-four to sixty-seven, both inclusive, eighteen hundred and ninety."

Page 6, line 14, strike out the word "said" and capitalize the word "title," and after the word "five" insert the words "of said chapter, as amended by chapter two hundred and forty-five, of the laws of eighteen hundred and seventy-five which said chapter adds new sections thirty-eight to forty-five, both inclusive, as amended by chapter two hundred and twenty-seven of the laws of eighteen hundred and seventy-seven, which said chapter adds sections forty-six to forty-nine, both inclusive, as amended by chapter five hundred and forty-two of the laws of eighteen hundred and eighty-seven, which said chapter adds section fifty to fifty-three, both inclusive, as amended by chapter two.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bills entitled as follows:

"An act to amend chapter 112 of the Laws of 1896, entitled 'An act in relation to the traffic in liquors, and for the taxation and regulation of the same and to provide for local option, constituting chapter 29 of the general laws,' as amended by chapter 312 of the Laws of 1897, and legalizing elections thereunder." (No. 2069, Int. No. 1224.)

"An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners." (No. 2067, Int. No. 607.)

"An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department." (No. 2066, Int. No. 402.)

"An act to amend section 484 of the Code of Criminal Pro-

cedure, relative to power to remit fines and imprisonment in case of failure to pay fine." (No. 2068, Int. No. 512.)

"An act to make the office of register of the county of Kings a salaried office and regulating the management of said office." (No. 2061, Int. No. 949.)

"An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter twenty-four of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property." (No. 1700, Int. No. 1314.)

At 3.30 o'clock p. m., on motion of Mr. Kelsey, the House took a recess until 8 o'clock p. m.

EIGHT O'CLOCK P. M.

The House again met.

The Senate sent for concurrence the following entitled bills:

"An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda' " (No. 953, Rec. No. 303), which was read the first time.

On motion of Mr. Darrison, said bill was referred to the committee on revision to compare with Assembly bill No. 1713, Int. No. 1278, same title and subject now on the order of third reading, and report if the same are identical, and if found identical that said Senate bill be substituted for said Assembly bill.

"An act to amend the Poor Law, in relation to relief of soldiers by Grand Army posts " (No. 1143, Rec. No. 343), which was read the first time and referred to the committee on the judiciary.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Henderson, Int. No. 1025, entitled "An act to amend section 3314 of the Code of Civil Procedure, relative to fees of jurors " (No. 1208), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Fallows, Int. No. 968, entitled "An act to amend the Code of Civil Procedure, in relation to preferred causes" (No. 1132), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Russell, Int. No. 1234, entitled "An act to amend section 1770 of the Code of Civil Procedure, in relation to what is deemed a counterclaim" (No. 1565), reported in favor of the passage of the same, with the following amendment:

Page 1, line 9, after the word "effect" strike out the word "immediately" and add the the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Ware, Int. No. 1304, entitled "An act to amend the Penal Code, in relation to affixing advertisement to another's land" (No. 1634), reported in favor of the passage of the same, with the following amendment:

Page 2, line 4, after the word "effect" strike out the word "immediately" and add the the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Gardiner, Int. No. 1493, entitled "An act to amend the Code of Civil Procedure in relation to the expense of printing court calendars" (No. 2056), reported in favor of the passage of the same, with the following amendment:

Page 1, line 11, after the word "effect" strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Bedell, Int. No. 1497, entitled "An act to amend section 89 of the Code of Civil Procedure" (No. 2091), reported in favor of the passage of the same, with the following amendment:

Page 2, line 17, after the word "effect" strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

HENRY W. HILL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the bill introduced by Mr. Apgar, Int. No. 1484, entitled "An act to amend section 3312 of the Code of Civil Procedure" (No. 2024), retaining its place on the order of third reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Hill, from the committee on codes, to which was recommended the bill introduced by Mr. Burnett, Int. No. 1182, entitled "An act to repeal article 3 of title 1 of chapter 3 of the Code of Civil Procedure, and chapter 598 of the Laws of 1892, entitled 'An act to provide for reporting the decisions of the inferior courts of record in the State of New York,' and to amend article 2 of title 2 of chapter 3 of the Code of Civil Procedure, in relation to court reporters" (No. 1925), reported in favor of the passage of the same, with the following amendments:

Page 5, lines 9 and 10, omit the words "or which the public interest in his judgment requires him to report," and insert in place thereof the words "to report and such others as he may deem necessary together with the necessary headnotes, table of cases, and index" underscored.

Page 6, line 2, change the word "may" to "shall" and insert the word "may" after the word "and."

Page 7, line 20, insert the words "the court shall direct and such others as."

Same page, lines 21, 22 and 23, omit all after and including the word "He" up to and including the word "report."

Page 8, line 22, insert after the word "York" the words "and shall report all written opinions."

Same page, line 25, after the word "appeals" insert the following: "He shall prepare and publish the necessary headnotes, table of cases and index."

Page 9, line 4, after the word "therewith" insert the words "The reports shall be printed in type to conform to that of the New York reports."

Page 10, line 4, capitalize the words "appellate," "division," "reports," "supreme" and "court."

Same page, lines 5 and 6, capitalize the words "miscellaneous" and "reports."

Same page, line 9, capitalize the words "the," "board," "official," "court."

Same page, line 10, capitalize the word "reporters."

Same page, line 13, capitalize the words "appellate," "division," "miscellaneous" and "reports."

Same page, lines 17 and 18, capitalize the words "board," "official," "court" and "reporters."

Page 11, line 6, insert the word "bound" after the word "single."

Same page, line 11, insert the word "bound" before the word "volume."

Same page, line 8, after the word "pages" insert the words "such contract shall also contain a provision that the contractor shall charge no more per volume than the price fixed by the contract."

Same page, line 13, capitalize the words "board," "official," "court" and "reporters."

Page 12, line 9, after the word "court" omit all up to and including the word "person" in line 14, and insert the words "or judge and no person."

Same page, line 9, strike out the word "the" and insert the word "any."

Page 14, line 4, change figure "4" to figure "2."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was committed the bill introduced by Mr. McMillan, Int. No. 1195, en-

titled "An act to amend the Penal Code, relating to the sale of potatoes, grains and other agricultural products" (No. 1917), retaining its place on the order of third reading, reported in favor of the passage of the same with the following amendment:

Strike out lines 5 to 8 inclusive and insert the following:

"Where potatoes, grains or other agricultural products are sold by the bushel, without agreement as to the weight, any person requiring a greater number of pounds for a bushel than as prescribed by section eight of the domestic commerce law, is guilty of a misdemeanor."

HENRY W. HILL,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of third reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. G. A. Davis, Rec. No. 261, entitled "An act to amend section 759 of the Code of Criminal Procedure, relative to the argument of appeals" (No. 1062), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Malby, Rec. No. 280, entitled "An act to amend section 2342 of the Code of Civil Procedure, relative to committee of incompetent persons" (No. 736), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Elsberg, Rec. No. 71, entitled "An act to amend section 791 of the Code of Civil Procedure in relation to preferences among civil actions" (No. 561), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred

the Senate bill introduced by Mr. Brown, Rec. No. 252, entitled "An act to amend section 341 of the Code of Civil Procedure, relating to jurisdiction of County Courts" (No. 1061), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 233, entitled "An act to amend section 564 of the Penal Code, and adding thereto a new section, 674f, relating to false personation, and also a new section, 674g, relating to the protection of the life-saving appliances of humane associations" (No. 929), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 232, entitled "An act to amend the Code of Civil Procedure in relation to preferred causes" (No. 709), reported in favor of the passage of the same, without amendment, which report was agreed to, and said the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 251, entitled "An act to amend sections 845, 846, 848 and 851 of the Code of Civil Procedure, in relation to administering an oath" (No. 941), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Marshall, Rec. No. 284, entitled "An act to amend the Penal Code relative to malicious mischiefs and other injuries to property" (No. 928), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 295, en-

titled "An act to amend section 830 of the Code of Civil Procedure" (No. 1163), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Ford, Rec. No. 234, entitled "An act to amend the Penal Code by adding thereto a new section relative to adulteration of natural fruit juices" (No. 842), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Thornton, Rec. No. 294, entitled "An act to amend section 52 of the Code of Civil Procedure, in relation to the jurisdiction of county judges" (No. 1063), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Hill, from the committee on codes, to which was referred the Senate bill introduced by Mr. Brackett, Rec. No. 227, entitled "An act to amend sections 773, 774, 777, 780 and 781 of the Code of Criminal Procedure, relating to coroners and coroners' juries" (No. 1083), reported in favor of the passage of the following substitute bill:

AN ACT to amend sections seven hundred and seventy-three, seven hundred and seventy-four, seven hundred and seventy-seven, seven hundred and seventy-eight, seven hundred and eighty and seven hundred and eighty-one of the code of criminal procedure, relating to coroners, and abolishing coroners' juries.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Section seven hundred and seventy-three of the code of criminal procedure is hereby amended so as to read as follows:

§ 773. Whenever a coroner is informed that a person has been killed or dangerously wounded by another, or has suddenly died under circumstances as to afford a reasonable ground to suspect that his death has been occasioned by the act of another by criminal means, or has committed suicide, he must go to the place where the person is and forthwith inquire into the cause

of the death or wounding, and in case such death, or wounding, occurred in a county in which is situated in whole or in part, a city of the first class but not otherwise, summon not less than nine nor more than fifteen persons, qualified by law to serve as jurors, (if such death or wounding be of a criminal nature), to appear before him forthwith at a specified place, to inquire into the cause of the death or wound, and if it shall appear from the sworn examination of the informant or complainant, or if it shall appear from the evidence taken on or during the inquisition or hearing, that any person or persons are chargeable with the killing or wounding, or that there is probable cause to believe that any person or persons are chargeable therewith, and if such person or person be not in custody, he must forthwith issue a warrant for the arrest of the person or persons charged with such killing or wounding; and upon the arrest of any person or persons chargeable therewith, he must be arraigned before the coroner for examination, and the said coroner shall have power to commit the person or persons so arrested to await the result of the inquisition or decision. Any coroner shall be disqualified from acting as such in any case where the person killed, or dangerously wounded, or dying suddenly as aforesaid, is a co-employee with said coroner, of any person, or persons, association, or corporation, or where it appears that the killing or wounding has been occasioned directly or indirectly, by the employer of said coroner.

§ 2. Section seven hundred and seventy-seven of the code of criminal procedure is hereby amended so as to read as follows:

§ 777. After inspecting the body and hearing the testimony, the coroner must render his decision, or if in a county where a jury is summoned as provided in section seven hundred and seventy-three, the jury must render their verdict, and certify it by an inquisition or decision in writing, signed by him, or them as the case may be, and setting forth who the person killed or wounded is, and when, where and by what means he came to his death or was wounded; and if he were killed or wounded, or his death were occasioned by the act of another, by criminal means, who is guilty thereof, in so far as by such inquisition he or such jury has been able to ascertain.

§ 4. Section seven hundred and seventy-eight of the code of criminal procedure is hereby amended so as to read as follows:

§ 778. The testimony of the witness examined before the coroner or the jury must be reduced to writing by the coroner, or under his direction, and must be forthwith by him with the inquisition, or decision, filed in the office of the clerk of the county

court of the county, or of a city court, having power to inquire into the offense by the intervention of a grand jury.

§ 5. Section seven hundred and eighty of the code of criminal procedure is hereby amended so as to read as follows:

§ 780. If the coroner or jury where a jury is summoned, finds that the person was killed or wounded by another, under circumstances not excusable or justifiable by law or that his death was occasioned by the act of another, by criminal means, and the party committing the act be ascertained by the inquisition or decision, and be not in custody the coroner must issue a warrant, signed by him with his name of office, into one or more counties, as may be necessary, for the arrest of the person charged.

§ 6. Section seven hundred and eighty-one of the code of criminal procedure is hereby amended so as to read as follows:

§ 781. The coroner's warrant must be in substantially the following form: County of Albany (or as the case may be). In the name of the people of the state of New York, to any sheriff, constable, marshal or policeman in this county: An inquisition having been this day found by a coroner's jury before me, (or a decision having been made by me) stating that A B has come to his death by the act of C D by criminal means (or as the case may be), as found by the inquisition or decision; or, information having been this day laid before me that A B has been killed or dangerously wounded by C D by criminal means (or as the case may be), you are hereby commanded forthwith to arrest the above named C D and bring him before me, or in the case of my absence or inability to act, before the nearest or most accessible coroner in this county.

Dated at the city of Albany (or as the case may be), this day of 18 .

E. F.,

Coroner of the county of Albany (or as the case may be).

§ 7. This act shall take effect September first, eighteen hundred and ninety-nine.

HENRY W. HILL,

Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Coggeshall, Rec. No. 299, entitled "An act to authorize the city of Utica to acquire, construct, maintain and operate a system of municipal water works for the supply of said city and its inhabitants with water and to provide the necessary funds therefor and creating a

commission for the purpose" (No. 1055), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mazet, from the committee on affairs of cities, to which was referred the Senate bill introduced by Mr. Graney, Rec. No. 237, entitled "An act to amend chapter 596 of the Laws of 1898, entitled 'An act to organize and establish a police department for the city of Yonkers,' and the acts amendatory thereof" (No. 1011), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Vincent, Int. No. 1403, entitled "An act to amend the Railroad Law, relative to grade crossings" (No. 1867), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Bedell, Int. No. 708, entitled "An act to amend section 49 of the Railroad Law, in regard to 'Wooten fire-box' locomotives" (No. 773), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the bill introduced by Mr. Vincent, Int. No. 1210, entitled "An act to authorize the Binghamton, Lestershire and Union Railroad Company to supply light, heat and power to the inhabitants and town and village authorities of the several towns and villages situate upon the Binghamton, Lestershire and Union Railroad and adjacent places, and to acquire the necessary franchises for these purposes" (No. 1504), reported in favor of the passage of the same, with the following amendment:

Page 1, line 5, strike out the words "and adjacent places."

LOUIS BEDELL,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Bedell, from the committee on railroads, to which was referred the Senate bill introduced by Mr. Raines, Rec. No. 189, entitled "An act to amend section 60 of the Railroad Law, relative

to grade crossings " (No. 392), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Greenwood, Int. No. 301, entitled "An act assuming liability by the State of New York for injuries sustained by Michael Strohm while in the performance of his duties as a soldier in the German Lafayette company attached to the Forty-fifth Regiment, Twenty-first Brigade and Sixth Division of the Militia of the State of New York, and confirming jurisdiction upon the Board of Claims to hear, audit and determine the claim of the said Michael Strohm for such injuries" (No. 309), reported in favor of the passage of the following substitute bill:

AN ACT to confer jurisdiction upon the court of claims to hear, audit and determine the alleged claim of Michael Strohm against the State for damages alleged to have been sustained by him, and to render judgment therefor.

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Jurisdiction is hereby conferred upon the court of claims to hear, audit and determine, the alleged claim of Michael Strohm against the state, for damages alleged to have been sustained by him while on duty as a private with his company [the German Lafayette Rifle Company, attached to the Forty-fifth Regiment, Twenty-first Brigade and Sixth division of the militia of the state of New York), by reason of the premature explosion of a cannon at which he was engaged in the performance of his duty as a member of said company, under the direction and orders of his superior officers.

§ 2. No award shall be made or judgment rendered herein against the state, unless the facts proved shall make out a case against the state, which would create a liability, were the same established in evidence in a court of law or equity against an individual or corporation; and in case such liability shall be satisfactorily established, then the court of claims shall award to and render judgment for the claimant for such sum as shall be just and equitable, notwithstanding the lapse of time since the occurring of damages, provided the claim hereunder is filed with the court of claims within one year after the passage of this act.

§ 3. This act shall take effect immediately.

JOHN E. MASON,
Chairman.

Which report was agreed to, and said substitute bill ordered printed and placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendations.

"An act relating to the rate of fare on certain railroads owned or operated by the Ulster and Delaware Railroad Company." (No. 339, Int. No. 328.)

"An act to amend chapter 605 of the Laws of 1898, relating to the condemnation of cemeteries by The Genesee River Company, and to provide for the removal of bodies therefrom." (No. 1903, Int. No. 1427.)

"An act to legalize and confirm the official acts of Herbert G. Steele, a justice of the peace of the town of Brownville, Jefferson county." (No. 2022, Int. No. 1482.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2059) entitled "An act to authorize and empower the town board of the town of Tonawanda, in Erie county, to refund the indebtedness created for improving the Delaware road in said town and to provide for the payment thereof" (Int. No. 1507), reported the same, with the following recommendations:

Page 1, lines 5 and 6, after the word "Tonawanda" insert a comma.

Page 4, line 2, after the word "aforesaid" insert the words "together with."

Same page, line 13, after the word "ninety-three" insert a comma.

Same page, same line, after the word "aforesaid" insert the words "said resolution."

Same page, line 24, after the word "hearing" strike out the word "of."

Same page, same line, after the word "thereto" strike out the comma and insert in lieu thereof a semi-colon.

Page 5, line 6, after the word "state" strike out the words "of New York."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Speaker announced the special order, being the Senate bill (No. 321) entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations.'" (Rec. No. 313.)

Said bill having been announced for a second reading,

On motion of Mr. Sanders, and by unanimous consent, said bill was made a special order on second reading for to-morrow, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 396) entitled "An act to regulate the occupation of barbers, and to provide for the sanitary inspection of barber shops." (Int. No. 381.)

Said bill having been announced for a second reading,

On motion of Mr. McEwan, and by unanimous consent, said bill was made a special order on second reading for to-morrow, immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 1289) entitled "An act to amend sections 707, 708, 709 and 710 of the Greater New York Charter, being chapter 378 of the Laws of 1897, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy in the city of New York." (Int. No. 1076.)

Said bill was read the second time.

On motion of Mr. Slater, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 297, Assembly reprint No. 1994) entitled "An act to validate and confirm a grant of lands under the waters of the Harlem river, made by the commissioners of the land office to Jordan L. Mott on the 14th day of August, 1851, and also a grant of lands under the water of the Harlem river made by the commissioners of the land office to Henry F. Durant on the 10th day of January, 1869, and to release any interest of the State in and to the lands covered by said grants" (Rec. No. 68), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the

affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 126 }
- { NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Henderson	Mohring	Sharkey
Allds	Dean	Henry	Murphy	Siems
Apgar	De Graw	Hill	O'Connell	Slater
Axtell	Delaney	Hoffman	O'Connor	Sloane C A
Babcock	Doughty	Hutton	Palmer	Smith J E
Baker	Dutton	Johnson	Paris	Smith J E
Ball	Egan	Kane	Phillips	Snyder
Barrett	Evarts	Kelley E E	Pickett	Sprague
Bashford	Fallows	Kelly G T	Post	Stoneman
Baum	Fancher	Kelsey	Redington	Streifler
Bedell	Finn	Kullman	Riedman	Sullivan T P
Boland	Fish	Lewis M E	Rierdon	Sullivan W J
Brennan E C	Fitzgerald	Lewis T D	Roberts	Ten Eyck
Brennan J F	Fowler	Litchard	Roche	Thorn
Brown	Gale	Mangin	Rodenbeck	Torborg
Bryan	Gallagher	Martin	Rowe	Trainor
Bulkley	Gardiner	Mason	Russell	Tripp
Burnett	Gould	Mazet	Sabine	Vincent
Clark	Green	McEwan	Sage S B	Ware
Collier	Greenwood	McInerney	Sanders	West
Collins	Grossman	McKeown	Sandford	Whipple
Costello	Hallock	McMillan	Sawyer	Wilson
Cotton	Harburger	Meister	Schmid F	Wingenfeld
Coughtry	Hatch	Meyer	Schoeneck	Wissel
Cowles	Hays	Miles	Sears	Witter
Darrison				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 1881) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Norman Tryon and other alleged employes of the State, upon public works, for unpaid balances alleged to be due for services rendered within the last six years, and to render judgment therefor" (Int. No. 1417), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McInerney	Sandford
Allds	Cross	Grossman	McKeown	Sands
Apgar	Darrison	Guider	McMillan	Schmid A F
Axtell	Davis	Hallock	Meister	Schmid F
Babcock	Dean	Harburger	Meyer	Schoeneck
Baker	De Graw	Hatch	Miles	Sharkey
Ball	Delaney	Hays	Murphy	Siems
Barrett	Dillon	Heller	O'Connell	Slater
Bashford	Doughty	Henderson	O'Connor	Sloane C A
Baum	Dutton	Henry	Palmer	Smith J E
Bedell	Egan	Hill	Paris	Smith J T
Beede	Ellis	Hitchcock	Patton	Snyder
Boland	Evarts	Hoffman	Phillips	Sprague
Brennan E C	Fallows	Hutton	Pickett	Stoneman
Brennan J F	Fancher	Johnson	Post	Streifler
Brewster	Farrell	Juengst	Poth	Sullivan T P
Brown	Finn	Kelley E E	Riedman	Ten Eyck
Bryan	Fish	Kelly G T	Rierdon	Thorn
Bulkley	Fordyce	Kelsey	Roberts	Torborg
Burnett	Fowler	Kullman	Roche	Tripp
Cain	Gale	Lewis M E	Rogers	Vincent
Clark	Gallagher	Lewis T D	Rowe	Ware
Collier	Gardiner	Litchard	Russell	Whipple
Collins	Gleason	Mangin	Sabine	Wilson
Costello	Gould	Martin	Sage H M	Wissel
Cottle	Graham	Mason	Sage S B	Witter
Cotton	Green	Mazet	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1996) entitled "An act to amend chapter 564 of the Laws of 1898, entitled 'An act in relation to unpaid taxes, water rates and rents in that part of the city of New York constituting the city of Long Island City prior to January 1, 1898,' in relation to unpaid taxes in that part of the city of New York constituting the city of Long Island City and the towns of Flushing, Jamaica

and a part of the town of Hempstead, prior to January 1, 1898 " (Int. No. 1312), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 125 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	McMillan	Schmid A F
Allds	Davis	Hays	Meister	Schmid F
Apgar	Deane	Heller	Miles	Schoeneck
Axtell	De Graw	Henderson	Mohring	Sharkey
Babcock	Delaney	Henry	Murphy	Siems
Baker	Dillon	Hill	O'Connell	Slater
Ball	Doughty	Hitchcock	O'Connor	Sloane C A
Barrett	Dutton	Hoffman	Palmer	Sloane J J
Baum	Ellis	Hutton	Paris	Smith J T
Bedell	Evarts	Johnson	Phillips	Snyder
Beede	Fallows	Juengst	Pickett	Sprague
Boland	Fancher	Kane	Post	Stoneman
Brennan E C	Farrell	Kelley E E	Redington	Sullivan T P
Brennan J F	Finn	Kelly G T	Riedman	Sullivan W J
Brewster	Fordyce	Kelsey	Rierdon	Thorn
Bryan	Fowler	Kullman	Roberts	Torborg
Bulkley	Gale	Lewis M E	Rodenbeck	Trainor
Cain	Gallagher	Lewis T D	Rogers	Tripp
Clark	Gleason	Litchard	Rowe	Vincent
Collier	Gould	Mangin	Russell	Ware
Costello	Green	Martin	Sage H M	West
Cottle	Greenwood	Mason	Sage S B	Whipple
Cotton	Grossman	Mazet	Sanders	Wilson
Coughtry	Guider	McEwan	Sandford	Wissel
Cowles	Hallock	McInerney	Sands	Witter

Ordered. That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1998) entitled "An act to amend section 1 of chapter 639 of the Laws of 1892, entitled 'An act to exempt the real and personal property of Die Deutsche Poliklinik of the City of

New York (The German Polyclinic of the City of New York) from taxation,' relative to the value of the property so exempted " (Int. No. 464), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 136 }
{ NOES 5 }

Those who voted in the affirmative, were

Adler	Darrison	Guider	Mohring	Schmid A F
Allds	Davis	Hallock	Murphy	Schmid F
Apgar	Dean	Harburger	O'Connell	Schoeneck
Axtell	Delaney	Hatch	O'Connor	Sears
Babcock	Dillon	Hays	Palmer	Sharkey
Baker	Doughty	Heller	Paris	Siems
Ball	Dutton	Henderson	Patton	Slater
Barrett	Egan	Henry	Phillips	Sloane C A
Bashford	Ellis	Hill	Pickett	Sloane J J
Baum	Evarts	Hitchcock	Post	Smith J E
Bedell	Fallows	Hoffman	Poth	Smith J T
Beede	Fancher	Hutton	Redington	Sprague
Boland	Farrell	Johnson	Riedman	Stoneman
Brennan E C	Finn	Juengst	Rierdon	Streifer
Brennan J F	Fish	Kane	Roberts	Sullivan T P
Brewster	Fitzgerald	Kelley E E	Roche	Sullivan W J
Brown	Fordyce	Kelly G T	Rodenbeck	Thorn
Bryan	Fowler	Kullman	Rogers	Torborg
Bulkley	Gale	Litchard	Rowe	Trainor
Cain	Gallagher	Mangin	Russell	Tripp
Clark	Gardiner	Martin	Sabine	Vincent
Collier	Gleason	Mason	Sage H M	Ware
Collins	Gould	McEwan	Sage S B	West
Costello	Graham	McKeown	Sanders	Whipple
Cottle	Green	McMillan	Sandford	Wilson
Cotton	Greenwood	Meister	Sands	Wingenfeld
Cowles	Grossman	Meyer	Sawyer	Witter
Cross				

In the negative,

Burnett	Coughtry	Kelsey	Lewis M E	Mazet
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Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1991) entitled "An act to amend chapter 644 of the Laws of 1898, entitled 'An act to authorize the appointment of a commission to inquire into the condition of the commerce of New York and suggest legislation thereon,' continuing their investigation, further defining their powers and making an appropriation" (Int. No. 126), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 2 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Sanders
Allds	Cross	Grossman	McMillan	Sandford
Apgar	Darrison	Hallock	Meister	Sawyer
Axtell	Davis	Harburger	Meyer	Schmid A F
Babcock	Dean	Hatch	Mohring	Schmid F
Baker	Delaney	Hays	Murphy	Schoeneck
Ball	Dillon	Heller	O'Connell	Sears
Bashford	Doughty	Henderson	O'Connor	Sharkey
Baum	Dutton	Henry	Paris	Siems
Bedell	Egan	Hitchcock	Patton	Slater
Beede	Ellis	Hoffman	Phillips	Sloane J J
Boland	Evarts	Hutton	Pickett	Smith J T
Brennan E C	Fallows	Juengst	Post	Snyder
Brennan J F	Fancher	Kelley E E	Poth	Sprague
Brewster	Farrell	Kelly G T	Redington	Stoneman
Brown	Finn	Kelsey	Riedman	Sullivan T P
Bryan	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fitzgerald	Lewis M E	Roberts	Thorn
Burnett	Fordyce	Lewis T D	Roche	Torborg
Cain	Fowler	Litchard	Rodenbeck	Trainor
Clark	Gale	Mangin	Rogers	Tripp
Collier	Gallagher	Martin	Rowe	Vincent
Collins	Gardiner	Mason	Russell	Ware
Costello	Gleason	Mazet	Sabine	West

Cottle	Gould	McEwan	Sage H M	Wingenfeld
Cotton	Graham	McInerney	Sage S B	Wissel
Coughtry	Green			

In the negative

Miles Palmer

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1993) entitled "An act to amend chapter 414 of the Laws of 1897, entitled 'An act in relation to villages, constituting chapter 21 of the general laws,' relative to publishing notice of elections" (Int. No. 236), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 132 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McKeown	Sands
Allds	Cowles	Green	McMillan	Sawyer
Apgar	Cross	Greenwood	Meister	Schmid F
Axtell	Darrison	Grossman	Meyer	Schoeneck
Babcock	Davis	Guider	Miles	Sears
Baker	Dean	Hallock	Mohring	Sharkey
Ball	De Graw	Hatch	Murphy	Siems
Barrett	Delaney	Hays	O'Connell	Slater
Bashford	Dillon	Heller	Palmer	Sloane J J
Baum	Doughty	Henderson	Paris	Smith J E
Bedell	Dutton	Henry	Patton	Smith J T
Beede	Egan	Hitchcock	Phillips	Snyder
Boland	Ellis	Hutton	Pickett	Stoneman
Brennan E C	Evarts	Johnson	Post	Sullivan T P
Brennan J F	Fallows	Kane	Poth	Sullivan W J
Brewster	Fancher	Kelley E E	Riedman	Ten Eyck
Brown	Farrell	Kelsey	Rierdon	Torborg
Bryan	Finn	Kullman	Roberts	Trainor
Bulkley	Fish	Lewis M E	Roche	Tripp

Barrett	Fitzgerald	Lewis T D	Rogers	Vincent
Cain	Fordyce	Litchard	Rowe	Ware
Clark	Fowler	Mangin	Russell	West
Collier	Gale	Martin	Sabine	Whipple
Collins	Gallagher	Mason	Sage H M	Wilson
Costello	Gardiner	Mazet	Sage S B	Wingenfeld
Cottle	Gleason	McEwan	Sandford	Wissel
Cotton	Gould			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1997) entitled "An act to amend chapter 686 of the Laws of 1892, entitled 'An act in relation to counties, constituting chapter 18 of the general laws,' relative to coroners" (Int. No. 1032), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	Mazet	Schmid F
Allds	Cross	Grossman	McEwan	Schoeneck
Apgar	Darrison	Guider	McKeown	Sears
Axtell	Davis	Hallock	McMillan	Siems
Babcock	Dean	Harburger	Meyer	Slater
Baker	De Graw	Hatch	Miles	Sloane C A
Ball	Delaney	Hays	Mohring	Sloane J J
Barrett	Dillon	Heller	O'Connell	Smith J E
Bashford	Doughty	Henderson	Paris	Smith J T
Baum	Dutton	Henry	Patton	Snyder
Bedell	Egan	Hill	Pickett	Sprague
Beede	Ellis	Hitchcock	Post	Stoneman
Boland	Evarts	Hoffman	Poth	Sullivan T P
Brennan E	CFallows	Hutton	Redington	Sullivan W J
Brennan J	FFancher	Johnson	Riedman	Ten Eyck
Brewster	Farrell	Juengst	Rierdon	Thorn
Brown	Finn	Kane	Roberts	Torborg
Bryan	Fish	Kelley E E	Rodenbeck	Tripp

Bulkley	Fitzgerald	Kelly G T	Rogers	Vincent
Burnett	Fowler	Kelsey	Rowe	Ware
Cain	Gale	Kullman	Russell	West
Clark	Gallagher	Lewis M E	Sabine	Whipple
Collier	Gardiner	Lewis T D	Sage S B	Wilson
Collins	Gleason	Litchard	Sanders	Wingenfeld
Costello	Gould	Martin	Sands	Wissel
Cotton	Graham	Mason	Sawyer	Witter
Coughtry	Green			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1970) entitled "An act to amend the Executive Law, in relation to the appointment of bridge designers and inspectors by the State Engineer and Surveyor" (Int. No. 1333), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 116 }
{ NOES 3 }

Those who voted in the affirmative, were

Adler	Cross	Guider	McEwan	Sage S B
Allds	Darrison	Hallock	McInerney	Sanders
Apgar	Davis	Harburger	McKeown	Sandford
Axtell	De Graw	Hatch	McMillan	Sands
Babcock	Dillon	Hays	Meister	Schmid A F
Baker	Doughty	Henderson	Meyer	Schoeneck
Ball	Dutton	Henry	Miles	Sharkey
Bashford	Egan	Hill	Mohring	Slater
Baum	Ellis	Hitchcock	Murphy	Sloane C A
Beede	Fallows	Hoffman	O'Connell	Smith J E
Boland	Fancher	Hutton	Patton	Smith J T
Brennan E C	Farrell	Johnson	Phillips	Sprague
Brennan J F	Fish	Juengst	Post	Stoneman
Brewster	Fitzgerald	Kane	Poth	Streifler
Brown	Fordyce	Kelley E E	Redington	Sullivan W J
Bryan	Gale	Kelsey	Rierdon	Ten Eyck
Bulkley	Gallagher	Kullman	Roberts	Thorn

Burnett	Gleason	Lewis M E	Roche	Tripp
Cain	Gould	Lewis T D	Rodenbeck	Vincent
Clark	Graham	Litchard	Rowe	West
Costello	Green	Martin	Russell	Wilson
Cottle	Greenwood	Mason	Sabine	Wingenfeld
Cotton	Grossman	Mazet	Sage H M	Wissel
Coughtry				

Those who voted in the negative, were

Palmer Schmid F Trainor

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1895) entitled " An act authorizing the acquisition of lands by the United States for the purpose of erecting public buildings thereon for post offices and other government offices in the cities of this State, and ceding jurisdiction over such lands " (Int. No. 1419), having been announced for a third reading,

On motion of Mr. Mason, said bill was laid aside and ordered stricken from the calendar.

The bill (No. 1644) entitled " An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter " (Int. No. 559), having been announced for a third reading,

On motion of Mr. Fordyce, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

The bill (No. 931) " An act to further extend the time within which the Troy and New England Railway Company shall finish its road, or put it in operation beyond its present construction and operation " (Int. No. 855), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	McInerney	Sands
Allds	Coughtry	Greenwood	McKeown	Sawyer
Apgar	Cowles	Guider	McMillan	Schmid A F
Axtell	Cröss	Hallock	Meister	Schoeneck
Babcock	Darrison	Harburger	Miles	Sears
Baker	Davis	Hatch	Mohring	Sharkey
Ball	Dean	Hays	Murphy	Siems
Barrett	De Graw	Heller	O'Connor	Slater
Bashford	Delaney	Henderson	Palmer	Sloane C A
Baum	Doughty	Henry	Paris	Smith J E
Bedell	Egan	Hill	Patton	Smith J T
Beede	Ellis	Hitchcock	Pickett	Snyder
Boland	Evarts	Hutton	Post	Sprague
Brennan E C	Fallows	Juengst	Poth	Streifler
Brennan J F	Fancher	Kane	Redington	Sullivan T P
Brewster	Farrell	Kelley E E	Riedman	Ten Eyck
Brown	Finn	Kelsey	Roberts	Thorn
Bryan	Fish	Kullman	Roche	Torborg
Bulkley	Fitzgerald	Lewis M E	Rodenbeck	Trainor
Burnett	Fordyce	Lewis T D	Rogers	Tripp
Cain	Fowler	Litchard	Rowe	Ware
Clark	Gale	Mangin	Sabine	West
Collier	Gallagher	Martin	Sage H M	Whipple
Collins	Gardiner	Mason	Sanders	Wingenfeld
Costello	Gleason	Mazet	Sandford	Wissel
Cottle	Gould	McEwan		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1248) entitled "An act to provide for an additional cottage for the New York State School for the Blind at Batavia, and making an appropriation therefor" (Int. No. 1059), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McInerney	Schmid A F
Allds	Darrison	Guider	McKeown	Schmid F
Apgar	Davis	Hallock	Meister	Schoeneck
Axtell	Dean	Harburger	Meyer	Sears
Babcock	De Graw	Hatch	Miles	Sharkey
Baker	Delaney	Hays	Murphy	Siems
Ball	Dillon	Henderson	O'Connell	Slater
Barrett	Doughty	Henry	O'Connor	Sloane C A
Bashford	Dutton	Hill	Paris	Sloane J J
Baum	Egan	Hitchcock	Patton	Smith J E
Bedell	Ellis	Hoffman	Phillips	Snyder
Beede	Evarts	Hutton	Pickett	Sprague
Boland	Fallows	Johnson	Poth	Streifler
Brennan E C	Fancher	Juengst	Redington	Sullivan T P
Brennan J F	Finn	Kane	Riedman	Ten Eyck
Brewster	Fish	Kelley E E	Rierdon	Thorn
Brown	Fitzgerald	Kelly G T	Roberts	Torborg
Bryan	Fordyce	Kelsey	Roche	Trainor
Bulkley	Fowler	Kullman	Rogers	Tripp
Burnett	Gallagher	Lewis M E	Rowe	Vincent
Cain	Gardiner	Lewis T D	Sabine	Ware
Clark	Gleason	Litchard	Sage H M	West
Collier	Gould	Mangin	Sage S B	Wilson
Costello	Graham	Martin	Sanders	Wingefeld
Cottle	Green	Mason	Sandford	Wissel
Cotton	Greenwood	Mazet	Sawyer	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1971) entitled "An act to provide for a safe repository for mechanics' tools" (Int. No. 382), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Heller	Miles	Schmid F
Allds	De Graw	Henderson	Mohring	Schoeneck
Apgar	Dillon	Henry	O'Connell	Sharkey
Axtell	Doughty	Hill	O'Connor	Siems
Babcock	Dutton	Hitchcock	Palmer	Slater
Baker	Egan	Hoffinan	Paris	Sloane C A
Barrett	Ellis	Johnson	Patton	Sloane J J
Bashford	Evarts	Juengst	Phillips	Smith J E
Baum	Fallows	Kane	Pickett	Smith J T
Bedell	Fancher	Kelley E E	Poth	Sprague
Boland	Farrell	Kelly G T	Redington	Stoneman
Brennan E C	Finn	Kelsey	Riedman	Streifler
Brennan J F	Fitzgerald	Kullman	Rierdon	Sullivan T P
Brown	Fordyce	Lewis M E	Roberts	Sullivan W J
Bryan	Fowler	Lewis T D	Roche	Ten Eyck
Burnett	Gallagher	Litchard	Rodenbeck	Thorn
Cain	Gardiner	Mangin	Rogers	Trainor
Clark	Gleason	Martin	Rowe	Tripp
Collier	Gould	Mason	Sabine	Vincent
Collins	Graham	Mazet	Sage H M	Ware
Costello	Green	McEwan	Sage S B	West
Cotton	Greenwood	McInerney	Sandford	Whipple
Coughtry	Guider	McMillan	Sands	Wingenfeld
Cowles	Hallock	Meister	Sawyer	Wissel
Cross	Harburger	Meyer	Schmid A F	Witter
Darrison	Hatch			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 965) entitled "An act to amend chapter 941 of the Laws of 1867, entitled 'An act to amend and consolidate the several acts relating to the charter of the village of Churchville, in the county of Monroe,' in relation to the assessment of taxes" (Rec. No. 217), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Greenwood	Mazet	Sawyer
Allds	Darrison	Grossman	McInerney	Schmid A F
Apgar	Davis	Guider	McKeown	Schmid F
Axtell	Dean	Hallock	McMillan	Schoeneck
Babcock	De Graw	Harburger	Meyer	Sears
Baker	Delaney	Hays	Miles	Siems
Barrett	Dillon	Heller	Murphy	Slater
Bashford	Dutton	Henderson	O'Connell	Sloane C A
Baum	Egan	Henry	O'Connor	Sloane J J
Bedell	Ellis	Hill	Palmer	Smith J E
Beede	Everts	Hitchcock	Patton	Snyder
Brennan E C	Fallows	Hoffman	Phillips	Sprague
Brennan J F	Fancher	Hutton	Post	Streifer
Brewster	Farrell	Johnson	Poth	Sullivan T P
Bryan	Finn	Juengst	Redington	Sullivan W J
Bulkley	Fish	Kane	Riedman	Ten Eyck
Burnett	Fitzgerald	Kelley E E	Rierdon	Thorn
Cain	Fordyce	Kelly G T	Roche	Torborg
Clark	Fowler	Kelsey	Rodenbeck	Tripp
Collier	Gale	Kullman	Rowe	Vincent
Collins	Gallagher	Lewis M E	Russell	Ware
Costello	Gardiner	Lewis T D	Sabine	Whipple
Cottle	Gleason	Litchard	Sage H M	Wilson
Cotton	Gould	Mangin	Sanders	Wingenfeld
Coughtry	Graham	Martin	Sandford	Wissel
Cowles	Green	Mason	Sands	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 787) entitled "An act to amend chapter 908 of the Laws of 1896, known as the Tax Law, relative to cancellation of tax sales by county treasurers" (Rec. No. 145), having been announced for a third reading,

Mr. M. E. Lewis moved that said bill be recommitted to the committee on internal affairs, with instructions to report the same forthwith amended as follows:

Page 2, line 21, after the word "of" insert the words "Erie, Chenango, Onondaga, Monroe."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Cottle, from the committee on internal affairs, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

The Senate bill (No. 799) entitled "An act to amend section 438 of the Code of Civil Procedure, relating to service of summons by publication" (Rec. No. 239), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Grossman	McMillan	Sands
Allds	Darrison	Guider	Meister	Sawyer
Apgar	Davis	Hallock	Meyer	Schmid F
Axtell	Dean	Harburger	Miles	Schoeneck
Babcock	De Graw	Hays	Mohring	Sears
Baker	Delaney	Heller	Murphy	Sharkey
Ball	Dillon	Henderson	O'Connell	Siems
Bashford	Doughty	Henry	Palmer	Sloane C A
Baum	Dutton	Hill	Paris	Sloane J J
Bedell	Egan	Hoffman	Pattor	Smith J E
Beede	Ellis	Johnson	Phillips	Smith J T
Boland	Evarts	Juengst	Pickett	Snyder
Brennan E C	Fallows	Kane	Post	Sprague
Brennan J F	Fancher	Kelley E E	Poth	Stoneman
Brewster	Farrell	Kelly G T	Redington	Streifler
Brown	Finn	Kelsey	Riedman	Sullivan W J
Bryan	Fish	Kullman	Rierdon	Ten Eyck
Bulkley	Fordyce	Lewis M E	Roberts	Thorn
Burnett	Fowler	Lewis T D	Rodenbeck	Torborg
Cain	Gale	Litchard	Rogers	Tripp
Clark	Gallagher	Mangin	Rowe	Vincent
Collier	Gardiner	Martin	Russell	Ware
Collins	Gleason	Mason	Sabine	Whipple

Costello	Gould	Mazet	Sage H M	Wilson
Cottle	Graham	McEwan	Sage S B	Wingenfeld
Cotton	Green	McInerney	Sanders	Wissel
Cowles	Greenwood	McKeown	Sandford	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 284) entitled "An act to amend the Fisheries, Game and Forest Law, relating to unlawful devices and explosives for the taking of fish" (Rec. No. 121), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Green	McKeown	Schmid A F
Allds	Cowles	Greenwood	Meister	Schmid F
Apgar	Cross	Guider	Meyer	Schoeneck
Axtell	Darrison	Hallock	Miles	Sharkey
Babcock	Davis	Harburger	Murphy	Siems
Baker	Dean	Hatch	O'Connell	Slater
Ball	De Graw	Hays	O'Connor	Sloane C A
Barrett	Delaney	Heller	Palmer	Sloane J J
Bashford	Dillon	Henderson	Paris	Smith J E
Baum	Doughty	Henry	Patton	Smith J T
Bedell	Dutton	Hill	Phillips	Snyder
Beede	Egan	Hitchcock	Pickett	Stoneman
Boland	Ellis	Hoffman	Poth	Streifler
Brennan E C	Everts	Juengst	Riedman	Sullivan T P
Brennan J F	Fallows	Kane	Rierdon	Sullivan W J
Brewster	Fancher	Kelley E E	Roberts	Ten Eyck
Brown	Farrell	Kelly G T	Roche	Thorn
Bryan	Finn	Kelsey	Rodenbeck	Trainor
Bulkley	Fish	Kullman	Rogers	Tripp
Burnett	Fitzgerald	Lewis M E	Russell	Vincent
Cain	Fordyce	Lewis T D	Sabine	Ware

Clark	Fowler	Litchard	Sage H M	West
Collier	Gale	Mangin	Sage S B	Whipple
Collins	Gallagher	Martin	Sanders	Wingenfeld
Costello	Gardiner	Mason	Sands	Wissel
Cottle	Gould	McEwan	Sawyer	Witter
Cotton	Graham	McInerney		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 952) entitled "An act to amend chapter 39 of the Laws of 1874, entitled 'An act to reorganize the village of Medina,' and the acts amending the same" (Rec. No. 235), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 127 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	McKeown	Sawyer
Allds	Darrison	Harburger	McMillan	Schmid A F
Apgar	Davis	Hatch	Meyer	Schoeneck
Axtell	De Graw	Hays	Miles	Sears
Babcock	Delaney	Heller	Mohring	Sharkey
Baker	Dillon	Henderson	Murphy	Slater
Ball	Doughty	Henry	O'Connor	Sloane C A
Barrett	Dutton	Hill	Palmer	Sloane J J
Bashford	Egan	Hitchcock	Paris	Smith J E
Baum	Evarts	Hoffman	Phillips	Smith J T
Beede	Fallows	Hutton	Pickett	Snyder
Boland	Fancher	Johnson	Poth	Stoneman
Brennan J F	Farrell	Juengst	Redington	Streifer
Brewster	Fish	Kane	Riedman	Sullivan T P
Brown	Fitzgerald	Kelley E E	Rierdon	Sullivan W J
Bryan	Fordyce	Kelly G T	Roberts	Ten Eyck
Bulkley	Fowler	Kelsey	Roche	Thorn
Burnett	Gale	Kullman	Rodenbeck	Torborg

Cain	Gallagher	Lewis M E	Rogers	Trainor
Clark	Gardiner	Lewis T D	Rowe	Tripp
Collier	Gleason	Litchard	Sabine	Vincent
Collins	Gould	Mangin	Sage H M	Ware
Costello	Graham	Martin	Sage S B	Whipple
Cottle	Green	Mason	Sanders	Wilson
Cotton	Grossman	Mazet	Sandford	Wingenfeld
Cowles	Guider	McEwan	Sands	Witter

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 899) entitled "An act to release to George W. Tindale all the right, title and interest in and to the personal property and estate of James J. Falvey" (Rec. No. 168), having been announced for a third reading,

On motion of Mr. Finn, said bill was laid aside, retaining its place on the order of third reading.

The Senate bill (No. 735) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York of, in and to certain real estate in the town of Bleecker, Fulton county, and State of New York" (Rec. No. 211), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 133 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Greenwood	McKeown	Schmid A F
Allds	Cross	Guider	Meister	Schoeneck
Apgar	Darrison	Hallock	Meyer	Sears
Axtell	Davis	Harburger	Miles	Siems
Babcock	Dean	Hatch	Murphy	Slater
Baker	De Graw	Hays	O'Connell	Sloane C A
Ball	Delaney	Heller	O'Connor	Sloane J J

Barrett	Dillon	Henderson	Palmer	Smith J E
Bashford	Doughty	Henry	Paris	Smith J T
Baum	Dutton	Hill	Patton	Snyder
Bedell	Egan	Hitchcock	Phillips	Sprague
Beede	Ellis	Hoffman	Post	Streifler
Boland	Evarts	Hutton	Poth	Sullivan T P
Brennan E C	Fallows	Johnson	Redington	Sullivan W J
Brennan J F	Fancher	Kane	Rierdon	Ten Eyck
Brown	Farrell	Kelley E E	Roberts	Thorn
Bryan	Finn	Kelsey	Roche	Torborg
Bulkley	Fish	Kullman	Rodenbeck	Trainor
Burnett	Fitzgerald	Lewis M E	Rowe	Tripp
Cain	Fordyce	Lewis T D	Russell	Vincent
Clark	Fowler	Litchard	Sabine	Ware
Collier	Gallagher	Mangin	Sage H M	West
Oollins	Gardiner	Martin	Sage S B	Whipple
Costello	Gleason	Mason	Sanders	Wilson
Cottle	Gould	Mazet	Sandford	Wingenfeld
Cotton	Graham	McEwan	Sawyer	Wissel
Coughtry	Green	McInerney		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 1031) entitled "Concurrent resolution proposing amendment to article 6 of the Constitution, relating to the election of additional justices of the Supreme Court" (Rec. No. 240), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, in the words following:

"Concurrent resolution proposing amendment to article six of the constitution, relating to the election of additional justices of the supreme court.

"Resolved (if the assembly concur), that the sixth article of the constitution be amended by adding thereto the following section:

"Section 24. At the general election next after the adoption of this amendment, there shall be elected, and thereafter as the offices shall become vacant through expiration of term or otherwise, by the electors of the second judicial district three justices of the supreme court in addition to the justices of that court now in office in said judicial district. The justices so elected

shall be invested with their offices on the first day of January next after their election."

Mr. Speaker put the question whether the House would agree to the final passage of said concurrent resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 134 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	McMillan	Schmid A F
Allds	Dean	Hatch	Meister	Schmid F
Apgar	DeGraw	Hays	Miles	Sears
Axtell	Delaney	Heller	Mohring	Sharkey
Babcock	Dillon	Henderson	Murphy	Siems
Baker	Doughty	Henry	O'Connell	Slater
Ball	Dutton	Hill	O'Connor	Sloane C A
Barrett	Egan	Hitchcock	Palmer	Sloane J J
Bashford	Ellis	Hoffman	Paris	Smith J E
Bedell	Evarts	Hutton	Patton	Smith J T
Beede	Fallows	Johnson	Pickett	Snyder
Brennan E C	Fancher	Juengst	Post	Sprague
Brennan J F	Farrell	Kane	Poth	Stoneman
Brewster	Finn	Kelley E E	Redington	Streifler
Brown	Fish	Kelly G T	Reidman	Sullivan T P
Bryan	Fitzgerald	Kelsey	Roberts	Sullivan W J
Burnett	Fordyce	Kullman	Rodenbeck	Ten Eyck
Cain	Fowler	Lewis M E	Rogers	Thorn
Clark	Gale	Lewis T D	Rowe	Trainor
Collier	Gallagher	Litchard	Russell	Tripp
Collins	Gleason	Mangin	Sabine	Vincent
Cottle	Gould	Martin	Sage H M	Ware
Cotton	Graham	Mason	Sage S B	Whipple
Coughtry	Green	Mazet	Sanders	Wilson
Cowles	Greenwood	McEwan	Sandford	Wingenfeld
Cross	Grossman	McInerney	Sands	Wissel
Darrison	Hallock	McKeown	Sawyer	

Ordered, That the Clerk return said concurrent resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

The Senate bill (No. 732) entitled "An act to legalize the official acts of certain justices of the peace and authorizing them to

execute and file official bonds, etc." (Rec. No. 215), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 128 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Green	McInerney	Sawyer
Allds	Darrison	Greenwood	McKeown	Schmid A F
Apgar	Davis	Grossman	Meister	Schmid F
Axtell	Dean	Guider	Miles	Schoeneck
Babcock	De Graw	Harburger	Mohring	Sharkey
Baker	Delaney	Hatch	Murphy	Siems
Ball	Dillon	Hays	O'Connor	Sloane C A
Barrett	Doughty	Heller	Palmer	Sloane J J
Baum	Dutton	Henderson	Paris	Smith J E
Bedell	Egan	Henry	Phillips	Smith J T
Beede	Ellis	Hill	Pickett	Snyder
Brennan E	Evarts	Hitchcock	Post	Sprague
Brennan J F	Fallows	Hoffman	Poth	Stoneman
Brewster	Fancher	Hutton	Riedman	Sullivan T P
Brown	Farrell	Johnson	Rierdon	Sullivan W J
Bryan	Finn	Juengst	Roberts	Ten Eyck
Burnett	Fish	Kelley E E	Roche	Thorn
Cain	Fitzgerald	Kelsey	Rodenbeck	Torborg
Clark	Fordyce	Kullman	Rogers	Tripp
Collier	Fowler	Lewis M E	Rowe	Vincent
Collins	Gale	Lewis T D	Sabine	West
Costello	Gallagher	Litchard	Sage H M	Whipple
Cottle	Gardiner	Mangin	Sage S B	Wilson
Cotton	Gleason	Martin	Sanders	Wingenfeld
Coughtry	Gould	Mason	Sands	Witter
Cowles	Graham	Mazet		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

The bill (No. 42) entitled "An act to compel all subway com-

panies to place on all manhole covers an automatic safety valve to prevent the accumulation and explosion of gas in manholes" (Int. No. 42), having been announced for a third reading,

On motion of Mr. G. T. Kelly, said bill was recommitted to the committee on general laws, retaining its place on the order of third reading.

The bill (No. 2037) entitled "An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines for hawking, peddling and vending of merchandise within the State" (Int. No. 419, was read the second time.

On motion of Mr. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1731) entitled "An act to amend section 3256 of the Code of Civil Procedure, relating to disbursements to be included in bill of costs" (Int. No. 969), having been announced for a second reading,

On motion of Mr. G. T. Kelly, said bill was laid aside, retaining its place on the order of second reading.

On motion of Mr. Reddington, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2044) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to department of street cleaning" (Int. No. 1142), having been announced for a second reading,

On motion of Mr. Wilson, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 2009) entitled "An act to amend the Code of Civil Procedure, relating to inventory appraisals of the estates of decedents" (Int. No. 1322), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2006) entitled "An act to improve the public health of the city of New York by the cultivation of trees and vegetation in the streets thereof, and to impose certain duties in relation thereto upon the park board and the commissioners of parks of said city" (Int. No. 964), was read the second time.

On motion of Mr. Bulkley, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2007) entitled "An act to amend chapter 635 of the Laws of 1897, entitled 'An act to amend chapter 482, entitled An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relative to engineers" (Int. No. 813), having been announced for a second reading,

Mr. Barrett moved to amend said bill as follows:

Page 2, line 4, after the word "engineer" insert the words "or fireman to a locomotive engineer."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill as amended was then read the second time.

On motion of Mr. Bedell, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2008) entitled "An act to regulate the fares for foot passengers on the ferry operated between Long Island City in the borough of Queens and Thirty-fourth street, borough of Manhattan, New York city" (Int. No. 342), was read the second time.

On motion of Mr. Wissel, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2001) entitled "An act to amend chapter 39 of the Laws of 1896, entitled 'An act to provide for the election of a police justice in the town of Esopus and in the county of Ulster, passed 1896,' relative to term of police justice" (Int. No. 1442), was read the second time.

On motion of Mr. Thorn, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2004) entitled "An act to authorize and empower the board of police commissioners of the city of New York to reconsider the resignation of Charles B. Von Gerichten and Adolphus Brown as patrolmen of the police department of the city of New York" (Int. No. 1285), was read the second time.

On motion of Mr. Mangin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2003) entitled "An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against John Fitzgibbons, a policeman of the first grade, for reinstatement in said department" (Int. No. 1332), was read the second time.

On motion of Mr. Phillips, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 365, Assembly reprint No. 2000) entitled "An act to establish a police pension fund for the city of Albany" (Rec. No. 132), was read the second time.

On motion of Mr. Hutton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2053) entitled "An act to amend chapter 775 of the Laws of 1895, entitled 'An act to legalize and provide for the payment of certain claims against Long Island City'" (Int. No. 1280), was read the second time.

On motion of Mr. Gale, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Kelsey in the chair.

The bill (No. 2040) entitled "An act to amend section 344 of the Penal Code of the State of New York, relating to gambling" (Int. No. 679), having been announced for a second reading,

Mr. Trainor moved to amend said bill as follows:

Page 2, line 9, strike out the words "list of numbers."

Mr. Finn raised the point of order that said bill is not properly printed in accordance with the rules of the House, in that the words are omitted that should be bracketed.

Mr. Speaker ruled the point of order well taken, and said bill was recommitted to the committee on codes.

The bill (No. 2046) entitled "An act to amend section 1323 of the Code of Civil Procedure, relative to appeals" (Int. No. 1194), was read the second time.

On motion of Mr. M. E. Lewis, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2048) entitled "An act to amend section 688 of the Code of Civil Procedure, relative to defendant's undertaking in attachment" (Int. No. 1276), was read the second time.

On motion of Mr. Collier, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2035) entitled "An act to amend section 3314 of the Code of Civil Procedure, relative to fees of jurors" (Int. No. 237), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2047) entitled "An act to amend section 2125 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hell Gate pilots, pilotage and pilot apprentices" (Int. No. 1270), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2045) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to summary proceedings" (Int. No. 1184), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2034) entitled "An act making an appropriation for the proper equipment, improvement and betterment of the Rome State Custodial Asylum, and to erect additional buildings therefor" (Int. No. 212), was read the second time.

On motion of Mr. Mason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2038) entitled "An act to provide that additional facilities for free instruction in natural history, geography and kindred subjects, by means of pictorial representation and lectures, may be furnished to the free common schools of each city and village of the State that has, or may have, a superintendent of free common schools " (Int. No. 443), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2043) entitled "An act authorizing the construction of a steel bridge and abutments and approaches thereto over the Erie canal in the town of St. Johnsville, and making an appropriation therefor " (Int. No. 1082), was read the second time.

On motion of Mr. Murphy, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2051) entitled "An act to amend the County Law, in relation to the appointment of district attorneys in certain cases " (Int. No. 1412), was read the second time.

On motion of Mr. Martin, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2039) entitled "An act to provide for a better system of lighting passenger cars entering the borough of Manhattan, New York city, by way of bridges across and over the Harlem river " (Int. No. 510), was read the second time.

On motion of Mr. Henderson, said bill was placed on the order of third reading.

On motion of Mr. Henderson, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 135 }
 { NOES 1 }

Those who voted in the affirmative, were

Adler	Darrison	Harburger	Meister	Schmid A F
Apgar	Dean	Hatch	Meyer	Schmid F
Axtell	De Graw	Hays	Miles	Sears
Babcock	Delaney	Henderson	Mohring	Sharkey
Baker	Dillon	Henry	Murphy	Slater
Ball	Doughty	Hill	O'Connell	Sloane C A
Barrett	Dutton	Hitchcock	O'Connor	Sloane J J
Bashford	Egan	Hoffman	Palmer	Smith J E
Baum	Ellis	Hutton	Paris	Smith J T
Bedell	Evarts	Johnson	Patton	Sprague
Beede	Fallows	Juengst	Phillips	Stoneman
Brennan E C	Farrell	Kane	Pickett	Streifler
Brennan J F	Finn	Kelley E E	Post	Sullivan T P
Brewster	Fish	Kelly G T	Redington	Sullivan W J
Brown	Fitzgerald	Kelsey	Riedman	Ten Eyck
Bryan	Fordyce	Kullman	Rierdon	Thorn
Bulkley	Fowler	Lewis M E	Roberts	Torborg
Burnett	Gale	Lewis T D	Roche	Trainor
Cain	Gardiner	Litchard	Rodenbeck	Tripp
Clark	Gleason	Mangin	Rogers	Vincent
Collier	Gould	Martin	Rowe	Ware
Collins	Graham	Mason	Russell	West
Costello	Green	Mazet	Sabine	Whipple
Cotton	Greenwood	McEwan	Sage H M	Wilson
Coughtry	Grossman	McInerney	Sanders	Wingenfeld
Cowles	Guider	McKeown	Sandford	Wissel
Cross	Hallock	McMillan	Sawyer	Witter

In the negative,

Davis

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2033) entitled "An act to amend the Railroad Law relative to certificates of public convenience and necessity" (Int. No. 780), having been announced for a second reading,

Mr. West moved to amend said bill as follows:

Page 1, line 8, strike out the words "or street."

Page 2, line 2, after the word "length" insert the words "and was to be built in the counties of Saratoga and Washington."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Said bill was then read the second time.

On motion of Mr. West, said bill was ordered reprinted and placed on the order of third reading and referred to the committee on revision.

The bill (No. 2058) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act relating to taxation, constituting chapter 24 of the general laws,' relating to exemptions of property owned by fraternal associations or corporations connected with colleges and universities" (Int. No. 1481), was read the second time.

On motion of Mr. Sabine, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2070) entitled "An act to amend section 103 of chapter 566 of the Laws of 1890, entitled 'An act in relation to transportation corporations, excepting railroads, constituting chapter 566 of the general laws,' relating to telegrams" (Int. No. 1443), having been announced for a second reading,

On motion of Mr. McKeown, said bill was committed to the committee on electricity, gas and water supply, retaining its place on the order of second reading.

The bill (No. 2071) entitled "An act to amend chapter 237 of the Laws of 1872, entitled 'An act revising, amending and consolidating the charter of, and the several acts relating to the village of Geneseo, in the county of Livingston, modifying the powers of the corporation and the duties of its officers and the acts amendatory thereof and supplemental thereto'" (Int. No. 1308), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2072) entitled "An act to incorporate the High Falls Electrical Company, of High Falls, Ulster county, New York" (Int. No. 839), having been announced for a second reading,

On motion of Mr. McKeown, said bill was committed to the

committee on electricity, gas and water supply, retaining its place on the order of second reading.

The bill (No. 2074) entitled "An act amending the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to certain fish that may be caught through the ice in lakes and waters named " (Int. No. 276), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2073) entitled "An act to amend the Labor Law, relating to the employment of citizens of the United States on public works" (Int. No. 1247), was read the second time.

On motion of Mr. Egan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2075) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor,' constituting chapter thirty-two of the general laws relative to the hours of labor and the prevailing rate of wages" (Int. No. 1351), was read the second time.

On motion of Mr. Sabine, said bill was placed on the order of third reading and referred to the committee on revision.

Mr. Speaker resumed the chair.

The bill (No. 2076) entitled "An act authorizing the Court of Claims to hear, audit and determine the alleged claim of Thomas Cullivan for the reward offered by the agent and warden of Clinton prison for capturing Henry F. Hardy, an escaped convict" (Int. No. 351), was read the second time.

On motion of Mr. Pickett, said bill was placed on the order of third reading.

On motion of Mr. Pickett, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 144 }
 { NOES 1 }

Those who voted in the affirmative, were

Adler	Darrison	Hallock	Miles	Schmid F
Allds	Davis	Harburger	Mohring	Schoeneck
Apgar	Dean	Hatch	Murphy	Sears
Axtell	De Graw	Hays	O'Connell	Sharkey
Babcock	Delaney	Heller	O'Connor	Siems
Baker	Dillon	Henderson	Palmer	Slater
Ball	Doughty	Henry	Paris	Sloane C A
Barrett	Dutton	Hill	Patton	Sloane J J
Bashford	Egan	Hitchcock	Phillips	Smith J E
Bedell	Ellis	Hoffman	Pickett	Smith J T
Beede	Evarts	Hutton	Post	Snyder
Boland	Fallows	Johnson	Poth	Sprague
Brennan E C	Fancher	Juengst	Redington	Stoneman
Brennan J F	Farrell	Kane	Riedman	Streifler
Brewster	Finn	Kelley E E	Rierdon	Sullivan T P
Brown	Fish	Kelly G T	Roberts	Sullivan W J
Bryan	Fitzgerald	Kelsey	Roche	Ten Eyck
Bulkley	Fordyce	Kullman	Rodenbeck	Thorn
Burnett	Fowler	Lewis M E	Rogers	Torborg
Cain	Gale	Lewis T D	Row	Trainor
Clark	Gallagher	Mangin	Russell	Tripp
Collier	Gardiner	Martin	Sabine	Vincent
Collins	Gleason	Mason	Sage H M	Ware
Costello	Gould	McEwan	Sage S B	West
Cottle	Graham	McInerney	Sanders	Whipple
Cotton	Green	McKeown	Sandford	Wilson
Coughtry	Greenwood	McMillan	Sands	Wingenfeld
Cowles	Grossman	Meister	Sawyer	Witter
Cross	Guider	Meyer	Schmid A F	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2081) entitled "An act to provide for the payment of the salaries of those who have served as janitors of municipal courts in the borough of Brooklyn, in the city of New York" (Int. No. 1272), was read the second time.

On motion of Mr. E. C. Brennan, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2082) entitled "An act to promote and provide for the security of life in hotels" (Int. No. 1363), was read the second time.

On motion of Mr. Green, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2083) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to inspection and testing of gas meters" (Int. No. 1127), was read the second time.

On motion of Mr. Mazet, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2084) entitled "An act to amend the Town Law, relating to powers of town auditors" (Int. No. 1383), was read the second time.

On motion of Mr. Brown, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2104) entitled "An act to amend chapter 179 of the general laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions and political committees,' relative to the enrollment for and holding of primary elections" (Int. No. 1106), was read the second time.

On motion of Mr. Henry, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2077) entitled "An act providing for the more effective enforcement of the Laws of the State of New York" (Int. No. 41), was read the second time.

On motion of Mr. Maher, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2089) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of John B. Woodruff against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 1310), was read the second time.

On motion of Mr. Wissel, said bill was placed on the order of third reading.

On motion of Mr. Wissel, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 123 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	McKeown	Schmid A F
Allds	Dean	Hatch	McMillan	Schoeneck
Apgar	De Graw	Hays	Meyer	Sears
Babcock	Delaney	Heller	Miles	Sharkey
Baker	Dillon	Henderson	Mohring	Siems
Ball	Doughty	Henry	O'Connell	Slater
Barrett	Egan	Hill	O'Connor	Sloane C A
Bashford	Ellis	Hitchcock	Palmer	Smith J E
Baum	Evarts	Hoffman	Patton	Smith J T
Bedell	Fallows	Hutton	Phillips	Snyder
Beede	Fancher	Johnson	Post	Stoneman
Brennan EC	Farrell	Juengst	Poth	Streifler
Brennan J F	Fish	Kane	Redington	Sullivan T P
Brewster	Fitzgerald	Kelley E E	Riedman	Sullivan W J
Bryan	Fowler	Kelly G T	Rierdon	Ten Eyck
Bulkley	Gale	Kelsey	Roberts	Thorn
Burnett	Gallagher	Kullman	Rodenbeck	Torborg
Clark	Gardiner	Lewis M E	Rogers	Trainor
Collier	Gleason	Lewis T D	Rowe	Tripp
Collins	Gould	Litchard	Sabine	Ware
Costello	Graham	Mangin	Sage H M	Whipple
Cottle	Green	Martin	Sanders	Wilson
Cotton	Greenwood	Mason	Sandford	Wingenfeld
Coughtry	Grossman	Mazet	Sands	Wissel
Cross	Guider	McEwan	Sawyer	Witter
Darrison	Hallock	McInerney		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 927, Assembly reprint No. 2079) entitled "An act to amend section 1268 of the Code of Civil Procedure,

relating to a discharge of a judgment against a bankrupt discharged from his debts " (Rec. No. 258), was read the second time.

On motion of Mr. Mason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2078) entitled "An act to amend the State Charities Law by providing that a member of the State Board of Charities shall be a representative labor man" (Int. No. 741), was read the second time.

On motion of Mr. O'Connell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2088) entitled "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 25 of the general laws,' relating to the burial of soldiers, sailors or marines" (Int. No. 502), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2087) entitled "An act to incorporate The Industrial and Commercial Exhibition Company of New York, to authorize said company to acquire real estate in the city of New York and to erect thereon a building or buildings, which shall be used for industrial and commercial expositions" (Int. No. 1373), having been announced for a second reading,

On motion of Mr. Sanders, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 716) entitled "An act to exempt from taxation the real estate of the Educational Alliance and of the University Settlement Society of New York (incorporated)" (Int. No. 651), was read the second time.

On motion of Mr. Adler, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 135) entitled "An act to exempt the real estate of the 'Colored Home and Hospital,' in the city of New York, from taxation, assessments and water rates" (Int. No. 135), was read the second time.

On motion of Mr. Fallows, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 514) entitled "An act to exempt from taxation the property of certain medical societies situated in cities of the first class" (Int. No. 487), was read the second time.

On motion of Mr. Cotton, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 647) entitled "An act for the relief of the 'Isabella Heimath'" (Int. No. 599), was read the second time.

On motion of Mr. Allds, said bill was placed on the order of third reading.

On motion of Mr. Allds, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

(AYES 131)
(NOES 00)

Those who voted in the affirmative, were

Adler	Darrison	Hallock	McInerney	Sandford
Allds	Davis	Harburger	McKeown	Sands
Apgar	Dean	Hatch	McMillan	Sawyer
Axtell	De Graw	Hays	Meister	Schmid A F
Babcock	Delaney	Heller	Meyer	Schmid F
Baker	Dillon	Henderson	Miles	Schoeneck
Ball	Doughty	Henry	Mohring	Sharkey
Barrett	Dutton	Hill	Murphy	Slater
Bashford	Egan	Hitchcock	O'Connell	Sloane J J
Baum	Ellis	Hoffman	O'Connor	Smith J E
Beede	Evarts	Hutton	Palmer	Smith J T
Boland	Fancher	Johnson	Paris	Sprague
Brennan E	O'Farrell	Juengst	Phillips	Stoneman
Brennan J	Finn	Kane	Pickett	Streifer
Brewster	Fish	Kelley E E	Post	Sullivan W J
Bryan	Fordyce	Kelly G T	Poth	Ten Eyck
Bulkley	Fowler	Kelsey	Redington	Thorn
Burnett	Gale	Kullman	Riedman	Trainor

Cain	Gallagher	Lewis M E	Rierdon	Tripp
Clark	Gardiner	Lewis T D	Roberts	Vincent
Collins	Gleason	Litchard	Rodenbeck	West
Costello	Graham	Mangin	Rogers	Whipple
Cottle	Green	Martin	Rowe	Wilson
Cotton	Greenwood	Mason	Russell	Wingenfeld
Coughtry	Grossman	Mazet	Sage H M	Wissel
Cowles	Guider	McEwan	Sage S B	Witter
Cross				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1943) entitled "An act to make an appropriation for the payment of the judgments of the Court of Claims" (Int. No. 1446), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2050) entitled "An act to amend the Benevolent Orders Law, relating to the Benevolent and Protective Order of Elks" (Int. No. 1360), was read the second time.

On motion of Mr. Rodenbeck, said bill was placed on the order of third reading and referred to the committee on revision.

The Senate bill (No. 1010) entitled "An act to incorporate Delancey Divinity School" (Rec. No. 229), was read the second time.

On motion of Mr. Hill, said bill was placed on the order of third reading.

On motion of Mr. Hill, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hatch	Meyer	Sawyer
Allds	Darrison	Hays	Miles	Schmid A F
Apgar	Dean	Heller	Mohring	Schmid W ²

Axtell	De Graw	Henderson	Murphy	Sears
Babcock	Delaney	Henry	O'Connell	Siems
Baker	Doughty	Hill	O'Connor	Slater
Ball	Dutton	Hitchcock	Palmer	Sloane C A
Barrett	Ellis	Hoffman	Paris	Sloane J J
Bashford	Evarts	Hutton	Patton	Smith J E
Baum	Fallows	Juengst	Phillips	Smith J T
Bedell	Fancher	Kane	Pickett	Snyder
Beede	Farrell	Kelley E E	Post	Stoneman
Boland	Finn	Kelly G T	Poth	Streifler
Brennan E	CFish	Kelsey	Redington	Sullivan T P
Brennan J F	Fitzgerald	Kullman	Riedman	Sullivan W J
Brewster	Fordyce	Lewis M E	Rierdon	Ten Eyck
Brown	Fowler	Lewis T D	Roberts	Thorn
Bryan	Gallagher	Litchard	Roche	Torborg
Bulkley	Gardiner	Mangin	Rodenbeck	Tripp
Burnett	Gleason	Martin	Rogers	Vincent
Cain	Gould	Mason	Russell	Ware
Collier	Green	Mazet	Sabine	West
Collins	Greenwood	McEwan	Sage H M	Whipple
Costello	Grossman	McInerney	Sage S B	Wingenfeld
Cottle	Guider	McMillan	Sandford	Wissel
Cotton	Harburger	Meister	Sands	Witter
Coughtry				

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Allds gave notice that on some future day he would move that Assembly Rules Nos. 3, 4, 5, 14, 15, 16, 17, 19, 20, 25, 26, 27, 28, 35, 36, 49, 52 and 55 be suspended for the purpose of reading and passing, out of its order, Senate bill No. 1055, Rec. No. 299, entitled "An act to authorize the city of Utica to acquire, construct, maintain and operate a system of municipal water works for the supply of said city and its inhabitants with water, and to provide the necessary funds therefor, and creating a commission for the purpose."

The bill (No. 2002) entitled "An act to authorize the commissioners of the sinking fund of the city and county of New York to renew a lease of certain lots to the Orphans' Home and Asylum of the Protestant Episcopal Church in New York" (Int. No. 1408), was read the third time, having been printed and upon the desks

of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES. 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Coughtry	Hallock	McKeown	Sandford
Allds	Cowles	Harburger	McMillan	Sands
Apgar	Cross	Hatch	Meister	Schmid A F
Axtell	Darrison	Hays	Meyer	Schmid F
Babcock	Dean	Heller	Miles	Schoeneck
Ball	De Graw	Henderson	Mohring	Sharkey
Barrett	Delaney	Henry	Murphy	Siems
Bashford	Dillon	Hill	O'Connell	Slater
Baum	Doughty	Hitchcock	O'Connor	Sloane C A
Bedell	Egan	Hoffman	Paris	Sloane J J
Beede	Evarts	Hutton	Patton	Smith J E
Boland	Fallows	Johnson	Phillips	Smith J T
Brennan E O	Farrell	Juengst	Pickett	Snyder
Brennan J F	Finn	Kane	Post	Stoneman
Brewster	Fish	Kelley E E	Poth	Streifer
Brown	Fitzgerald	Kelly G T	Riedman	Sullivan T P
Bryan	Fordyce	Kelsey	Rierdon	Ten Eyck
Bulkley	Fowler	Kullman	Roberts	Thorn
Burnett	Gale	Lewis M E	Rodenbeck	Torborg
Cain	Gardiner	Lewis T D	Rogers	Tripp
Clark	Gleason	Litchard	Rowe	Vincent
Collier	Gould	Mangin	Russell	Ware
Collins	Green	Martin	Sabine	Whipple
Costello	Greenwood	Mason	Sage H M	Wilson
Cottle	Grossman	Mazet	Sage S B	Wingenfeld
Cotton	Guider	McInerney	Sanders	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2031) entitled "An act to amend chapter 348 of the Laws of 1885, entitled 'An act to authorize the appointment of stenographers for grand juries and to fix the compensation of such stenographers,' relative to the appointment of typewriters

to take evidence before grand juries " (Int. No. 1420), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Dean	Hallock	McMillan	Sawyer
Allds	De Graw	Harburger	Meister	Schmid A F
Apgar	Delaney	Hatch	Meyer	Schmid F
Axtell	Dillon	Hays	Miles	Schoeneck
Babcock	Dutton	Heller	Mohring	Sears
Baker	Egan	Henderson	Murphy	Siems
Ball	Ellis	Hill	O'Connor	Slater
Barrett	Evarts	Hitchcock	Palmer	Sloane C A
Bashford	Fallows	Hoffman	Paris	Sloane J J
Baum	Fancher	Hutton	Patton	Smith J E
Bedell	Farrell	Johnson	Phillips	Smith J T
Beede	Finn	Juengst	Post	Snyder
Brennan E C	Fish	Kane	Poth	Sprague
Brennan J F	Fitzgerald	Kelley E E	Redington	Stoneman
Brewster	Fordyce	Kelly G T	Riedman	Streifler
Bryan	Fowler	Kelsey	Rierdon	Sullivan T P
Burnett	Gale	Kullman	Roberts	Ten Eyck
Cain	Gallagher	Lewis M E	Roche	Thorn
Clark	Gardiner	Lewis T D	Rogers	Torborg
Collier	Gleason	Litchard	Rowe	Trainor
Collins	Gould	Mangin	Russell	Vincent
Cottle	Graham	Martin	Sage H M	Ware
Cotton	Green	Mason	Sage S B	West
Cowles	Greenwood	Mazet	Sanders	Whipple
Cross	Grossman	McEwan	Sandford	Wingenfeld
Davis	Guider	McInerney	Sands	Wissel

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 2030) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim

of Wilbur F. Barker against the State of New York for compensation to which it is alleged said claimant is entitled for services rendered and performed for and on behalf of the State of New York, and to render judgment therefor " (Int. No. 1490), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 131 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Greenwood	McEwan	Sandford
Allds	Darrison	Grossman	McInerney	Sands
Apgar	Davis	Guider	McKeown	Sawyer
Axtell	Dean	Hallock	Meister	Schmid F
Babcock	De Graw	Harburger	Meyer	Schoeneck
Baker	Delaney	Hatch	Miles	Sears
Ball	Dillon	Hays	Murphy	Siems
Barrett	Doughty	Heller	O'Connell	Slater
Bashford	Dutton	Henderson	O'Connor	Sloane C A
Baum	Egan	Henry	Palmer	Sloane J J
Bedell	Ellis	Hill	Paris	Smith J T
Beede	Evarts	Hitchcock	Patton	Snyder
Boland	Fallows	Hoffman	Pickett	Sprague
Brennan E C	Farrell	Hutton	Post	Stoneman
Brennan J F	Finn	Juengst	Poth	Streifler
Brewster	Fish	Kane	Redington	Sullivan W J
Brown	Fitzgerald	Kelly G T	Rierdon	Ten Eyck
Bryan	Fordyce	Kelsey	Roberts	Torborg
Burnett	Fowler	Kullman	Roche	Trainor
Cain	Gale	Lewis M E	Rodenbeck	Tripp
Clark	Gallagher	Lewis T D	Rogers	Ware
Collier	Gardiner	Litchard	Rowe	Whipple
Collins	Gleason	Mangin	Russell	Wilson
Cottle	Gould	Martin	Sabine	Wingenfeld
Cotton	Graham	Mason	Sage H M	Wissel
Coughtry	Green	Mazet	Sanders	Witter
Cowles				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1794) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the town of Long Lake, Hamilton county, against the State on account of illegal cancellation of land sales for taxes" (Int. No. 1361), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

- { AYES 138 }
 { NOES 00 }

Those who voted in the affirmative, were

Adler	Cross	Hallock	McMillan	Sears
Allds	Darrison	Harburger	Meyer	Sharkey
Apgar	Davis	Hatch	Miles	Siems
Axtell	Dean	Hays	Mohring	Slater
Babcock	De Graw	Holler	O'Connell	Sloane C A
Baker	Delaney	Henderson	O'Connor	Sloane J J
Ball	Dillon	Henry	Palmer	Smith J E
Barrett	Doughty	Hill	Paris	Smith J T
Bashford	Dutton	Hitchcock	Patton	Snyder
Baum	Egan	Hoffman	Pickett	Sprague
Bedell	Ellis	Hutton	Post	Stoneman
Beede	Evarts	Johnson	Poth	Streifler
Boland	Fancher	Juengst	Redington	Sullivan T P
Brennan E C	Farrell	Kane	Riedman	Sullivan W J
Brewster	Finn	Kelley E E	Roberts	Ten Eyck
Brown	Fish	Kelly G T	Roche	Thorn
Bryan	Fitzgerald	Kelsey	Rodenbeck	Torborg
Bulkley	Fordyce	Kullman	Rogers	Trainor
Burnett	Fowler	Lewis M E	Russell	Tripp
Cain	Gale	Lewis T D	Sage H M	Vincent
Clark	Gallagher	Litchard	Sage S B	Ware
Collier	Gardiner	Mangin	Sandford	West
Collins	Gleason	Martin	Sands	Whipple
Costello	Gould	Mason	Sawyer	Wilson
Cottle	Green	Mazet	Schmid A F	Wingenfeld
Cotton	Greenwood	McEwan	Schmid F	Wissel
Coughtry	Grossman	McInerney	Schoeneck	Witter
Cowles	Guider	McKeowr		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The Senate bill (No. 1164) entitled "An act to legalize certain assessments" (Rec. No. 8), was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 129 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McInerney	Sands
Allds	Cross	Hallock	McKeown	Schmid A F
Apgar	Darrison	Harburger	McMillan	Schoeneck
Axtell	Dean	Hatch	Meyer	Sears
Babcock	De Graw	Hays	Miles	Sharkey
Baker	Delaney	Heller	Mohring	Slater
Ball	Dillon	Henderson	Murphy	Sloane C A
Barrett	Doughty	Henry	O'Connor	Sloane J J
Bashford	Egan	Hill	Palmer	Smith J E
Baum	Ellis	Hitchcock	Paris	Smith J T
Beede	Evarts	Hoffman	Patton	Snyder
Boland	Fallows	Hutton	Phillips	Sprague
Brennan E C	Fancher	Johnson	Pickett	Stoneman
Brennan J F	Farrell	Juengst	Poth	Streifler
Brewster	Finn	Kane	Redington	Sullivan T P
Brown	Fish	Kelley E E	Riedman	Ten Eyck
Bryan	Fitzgerald	Kelsey	Rierdon	Thorn
Bulkley	Fordyce	Kullman	Roberts	Torborg
Burnett	Fowler	Lewis M E	Rodenbeck	Trainor
Cain	Gale	Lewis T D	Rogers	Tripp
Clark	Gardiner	Litchard	Rowe	Vincent
Collier	Gould	Mangin	Sabine	Ware
Costello	Graham	Martin	Sage H M	Whipple
Cottle	Green	Mason	Sage S B	Wingenfeld
Cotton	Greenwood	Mazet	Sanders	Witter
Coughtry	Grossman	McEwan	Sandford	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Hays called up the bill (No. 1961) entitled "An act to release to Oscar W. Robbins all the right, title and interest of the people of the State of New York, in and to certain real estate in the town of Bleecker, Fulton county" (Int. No. 1018), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Hays, said bill was laid aside and ordered stricken from the calendar.

Pursuant to notice Mr. Maher called up the bill (No. 1635) entitled "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in the city of New York" (Int. No. 40), heretofore laid aside on the order of third reading.

Said bill having been announced for a third reading,

On motion of Mr. Maher, and by unanimous consent, said bill was made a special order on third reading for to-morrow, immediately after the reading of the journal.

A communication from the Governor was received and read, in the words following:

STATE OF NEW YORK—EXECUTIVE CHAMBER,
ALBANY, April 5, 1899.

To the Assembly:

Pursuant to concurrent resolution of the Senate and Assembly, herewith is returned for amendment Assembly bill No. 1825, entitled "An act to amend subdivision 4 of section 90 of chapter 414 of the Laws of 1897, entitled 'An act relating to villages, constituting chapter 21 of the general laws,' relative to licenses." (Int. No. 1237.)

TREODORE ROOSEVELT.

The Senate returned the bill (No. 227, Senate reprint No. 1168) entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Abiel B. Parks against the State for damages alleged to have been sustained by him, and to render judgment therefor" (Int. No. 227), with a message that they have concurred in the passage of the same with the following amendments:

Page 1, line 2, after the word "the" insert the word "alleged," and strike out the words "if any."

Same page, line 5, after the words "New York" insert the words "in the year eighteen hundred and seventy-two."

Mr. Sprague moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days priors to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 113 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Harburger	McInerney	Sands
Allds	Darrison	Hays	McKeown	Schmid A F
Apgar	Davis	Heller	McMillan	Schmid F
Axtell	De Graw	Henderson	Meyer	Schoeneck
Babcock	Delaney	Henry	Miles	Sharkey
Baker	Doughty	Hill	Mohring	Slater
Ball	Dutton	Hitchcock	O'Connell	Sloane C A
Bashford	Egan	Hoffman	O'Connor	Sloane J J
Baum	Evarts	Hutton	Paris	Smith J E
Bedell	Fallows	Johnson	Patton	Snyder
Boland	Fancher	Juengst	Pickett	Sprague
Brennan E C	Finn	Kane	Post	Streifler
Brennan J F	Fish	Kelly G T	Poth	Sullivan T P
Brown	Fordyce	Kelsey	Redington	Ten Eyck
Bryan	Fowler	Kullman	Riedman	Thorn
Bulkley	Gale	Lewis M E	Roberts	Trainor
Cain	Gallagher	Lewis T D	Roche	Tripp
Clark	Gardiner	Litchard	Rogers	West
Collins	Gleason	Mangin	Rowe	Whipple
Costello	Graham	Martin	Sabine	Wilson
Cottle	Green	Mason	Sage H M	Wingenfeld
Cotton	Greenwood	Mazet	Sanders	Wissel
Coughtry	Guider	McEwan		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the bill (No. 461, Senate reprint No. 1233) entitled "An act making an appropriation for the Craig Colony for Epileptics" (Int. No. 441), with a message that they have

concurred in the passage of the same with the following amendments:

Insert new section as follows:

§ 3. No part of any item of said appropriation shall be available for any construction or building except for plans, specifications and advertising unless a contract therefor according to plans and specifications shall have been first made for the completion thereof within the appropriation therefor and the performance thereof secured by a satisfactory bond approved by the comptroller.

Make former § 3 read § 4.

Mr. Kelsey moved to concur in the Senate amendments.

Mr. Speaker put the question whether the House would concur in said amendments, said bill having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

} AYES 104 }
 } NOES 00 }

Those who voted in the affirmative, were

Adler	Davis	Harburger	McEwan	Sage S B
Allds	De Graw	Hatch	McKeown	Sandford
Apgar	Delaney	Heller	McMillan	Sands
Axtell	Doughty	Henderson	Meyer	Schmid A F
Babcock	Dutton	Henry	Miles	Schmid F
Baker	Egan	Hill	Mohring	Sears
Barrett	Evarts	Hitchcock	O'Connell	Sharkey
Bashford	Fallows	Hutton	O'Connor	Slater
Bedell	Farrell	Johnson	Paris	Sloane C A
Beede	Finn	Juengst	Patton	Smith J E
Brennan E C	Fitzgerald	Kane	Phillips	Smith J T
Brennan J F	Fordyce	Kelley E E	Post	Sprague
Brown	Fowler	Kelly G T	Poth	Streifler
Bulkley	Gallagher	Kelsey	Riedman	Ten Eyck
Burnett	Gleason	Kullman	Rierdon	Torborg
Clark	Gould	Lewis M E	Roberts	Tripp
Collins	Graham	Lewis T D	Rodenbeck	Ware
Cottle	Green	Litchard	Rogers	Whipple
Coughtry	Greenwood	Mangin	Rowe	Wingenfeld
Cowles	Grossman	Martin	Russell	Wissel
Darrison	Hallock	Mazet	Sage H M	

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the amendments of the Senate thereto.

The Senate returned the following entitled bills:

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Charles A. Barnes against the State of New York for damages alleged to have been sustained in the town of Salina, county of Onongaga, and to render judgment therefor.” (No. 1009, Int. No. 151; Senate reprint No. 1029.)

“An act to amend the Fisheries, Game and Forest Law and the acts amendatory thereof, relative to quail.” (No. 1196, Int. No. 323; Senate reprint, No. 1151.)

“An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of Eva L. Woerner, and others, against the State of New York, for damages alleged to have been sustained in the town of Salina, county of Onondaga, by them, and to render judgment therefor.” (No. 1007, Int. No. 53; Senate reprint, No. 1126.)

Ordered, That the Clerk deliver said bills to the Governor.

Mr. Speaker presented the annual report of the Adjutant-General for the year 1898, which was laid upon the table and ordered printed.

(See document).

The Senate sent for concurrence a resolution, in the words following:

Resolved (if the Assembly concur), That a respectful message be sent to the Governor, requesting the return of Senate bill No. 966, entitled “An act to incorporate Grenell Island Park, in the St. Lawrence river, situate in the town of Clayton, Jefferson county, and to define its boundary, and to provide for its management and control as a summer resort” (Rec. No. 218), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk return said resolution to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Patton offered for the consideration of the House a resolution, in the words following:

Resolved (if the Senate concur), That a respectful message be sent to the Governor, requesting the return to the Assembly of Assembly bill No. 1409, entitled "An act to authorize the board of supervisors of Erie county to appoint a board of side-path commissioners for any town applying for such commissioners, and to provide revenue for the construction, repair and maintenance of sidepaths for bicycles" (Int. No. 694), for the purpose of amendment.

Mr. Speaker put the question whether the House would agree to said resolution, and it was determined in the affirmative.

Ordered, That the Clerk deliver said resolution to the Senate, and request their concurrence therein.

Mr. Ball gave notice that on Thursday, April 6, he would call up Assembly bill No. 1464, entitled "An act to provide for reduced fares on railroads for school children" (Int. No. 600), the same having been laid aside on the order of third reading.

Mr. Mazet gave notice that on Thursday, April 6, he would call up Assembly bill No. 1581, entitled "An act to amend the Greater New York charter in relation to the board of pharmacy" (Int. No. 215), the same having been laid aside on the order of third reading.

Mr. Delaney gave notice that on Thursday, April 6, he would call up Assembly bill No. 1737, entitled "An act to amend the Labor Law, relating to the rate of wages to be paid to unskilled laborers on public works" (Int. No. 1329), the same having been laid aside on the order of third reading.

Mr. Ball presented a petition from Brooklyn Howard Colored Orphan Asylum in favor of an appropriation of \$25,000 for that institution, which was referred to the committee on charitable and religious societies.

Mr. Speaker announced the special order, being the bill (No. 1951) entitled "An act to amend the Tax Law, relating to exemption from taxation of certain mortgages on real estate." (Int. No. 375.)

Said bill having been announced for a third reading,

Mr. Martin moved that said bill be recommitted to the com-

mittee on taxation and retrenchment, with instructions to report the same forthwith amended as follows:

Amend the title by striking out the words "real estate" and inserting in place thereof the words "agricultural lands."

Page 2, line 1, strike out the words "real estate" and insert in lieu thereof the words "agricultural lands."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. DeGraw, from the committee on taxation and retrenchment, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the bill No. 1945) entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653a, 2626 and 2627 of the Code of Civil Procedure, relating to revocation of probate." (Int. No. 303.)

Said bill having been announced for a third reading,

On motion of Mr. Hill, and by unanimous consent, said bill was made a special order on third reading for to-morrow immediately after the reading of the journal.

Mr. Speaker announced the special order, being the Senate bill (No. 892) entitled "An act to incorporate the 'Improved Order of Red Men's Home Association of New York.'" (Rec. No. 167.)

Said bill having been announced for a third reading,

Mr. Rogers moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to report the same forthwith amended as follows:

Page 2, line 21, strike out the words "who are members of said association."

Page 10, line 15, strike out the words "the passage of this act" and insert in lieu thereof the words "this act shall take effect."

Same page, line 15, strike out the words "the great," all of line 16, and the words "ure to act" and the parenthesis after the words "incorporators" in line 17.

Same page, line 22, strike out the words "great chief of records, or."

Page 12, line 23, strike out the words "This act shall take effect immediately" and insert in lieu thereof the following: "Nothing contained in this act shall be construed to impose

any liability upon, or to render either the Great Council of the Improved Order of Red Men of the State of New York or the Great Council of the Improved Order of Red Men of the United States, in any wise responsible for any indebtedness or financial obligations of any name or nature whatsoever, contracted or incurred by the corporation created by this act; and neither of said Great Councils shall at any time hereafter become liable upon any such indebtedness or financial obligation unless such Great Council shall expressly consent and agree to be made and become liable therefor by a resolution in writing duly adopted at a regular session thereof."

Add two new sections, to be numbered and to read as follows:

"§ 20. The creation of the corporation provided for by this act is hereby expressly made and declared to be subject to the approval of the Great Council of the Improved Order of Red Men of the State of New York; and no corporate act shall be done, or corporate functions exercised, by the corporation created by this act, or by the incorporators thereof named in section one of this act, unless and until said Great Council of the Improved Order of Red Men of the State of New York shall consent to, and approve of, the creation of such corporation and of the corporate franchise, rights, powers and privileges hereby granted thereto, by resolution in writing duly adopted at the next regular session of such Great Council held after the passage of this act by a majority vote of all representatives elected thereto. Such consent and approval, if it be given, shall be evidenced by a certificate, setting forth such resolution, and the the proceedings taken thereupon resulting in such consent and approval, which certificate shall be executed, signed and acknowledged by the first three elective officers of such Great Council, and attested by the signature of the Great Chief of Records and the seal of such Great Council, which certificate shall be filed in the office of the secretary of state. Upon the filing of such certificate, and not before the corporate franchise, rights, powers and privileges created and conferred by this act shall become operative and of effect.

"§ 21. This act shall take effect September first, eighteen hundred and ninety-nine."

Debate was had thereon, when

Mr. Allds moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Rogers, and it was determined in the negative.

{ AYES 33 }
 { NOES 50 }

Those who voted in the affirmative, were

Allds	Fancher	Kelsey	Rogers	Sprague
Axtell	Fowler	Lewis T D	Russell	Thorn
Baker	Graham	Litchard	Sands	Vincent
Collier	Greenwood	Martin	Sawyer	Ware
Cottle	Hays	McMillan	Smith J T	Wilson
Cotton	Hill	Patton	Snyder	Witter
Cowles	Johnson	Roberts		

Those who voted in the negative, were

Apgar	Finn	Kullman	Phillips	Siems
Babcock	Fitzgerald	Maher	Pickett	Sloane J J
Barrett	Gale	Mangin	Riedman	Smith J E
Bashford	Gallagher	McInerney	Roche	Streifler
Baum	Gould	McKeown	Rodenbeck	Torborg
Beede	Guider	Meister	Sanders	Trainor
Boland	Harburger	Meyer	Sandford	Tripp
Cain	Juengst	O'Connell	Schmid A F	West
Collins	Kane	Palmer	Schmid F	Wingenfeld
Egan	Kelly G T	Paris	Sharkey	Wissel

Pending the question,

On motion of Mr. Allds, the House adjourned.

THURSDAY, APRIL 6.

The House met pursuant to adjournment.

Prayer by the Rev. J. G. Fallon.

On motion of Mr. Allds, the reading of the journal of yesterday was dispensed with and the same was approved.

Mr. Speaker announced the pending question, being the Senate bill (No. 892) entitled "An act to incorporate the 'Improved Order of the Red Men's Home Association of New York.'" (Rec. No. 167.)

Mr. Litchard moved that said bill be recommitted to the committee on charitable and religious societies, with instructions to report the same forthwith amended as follows:

Page 12, strike out section 17.

Same page, line 19, change section 18 to read section 17.

Same page, line 23, change section 19 to read section 18.

Debate was had thereon, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Litchard, and it was determined in the negative.

{ AYES 34 }
{ NOES 67 }

Those who voted in the affirmative, were

Axtell	Cowles	Hays	Martin	Sage H M
Bryan	Darrison	Johnson	Mazet	Sawyer
Burnett	Dutton	Kelley E E	Miles	Sprague
Clark	Fancher	Kelsey	Patton	Vincent
Collier	Fordyce	Lewis M E	Roberts	Ware
Cottle	Fowler	Lewis T D	Rogers	Witter
Coughtry	Graham	Litchard	Russell	

Those who voted in the negative, were

Ball	Gould	McInerney	Redington	Sharkey
Bashford	Grossman	McKeown	Riedman	Siems
Baum	Guider	Meister	Rierdon	Sloane J J
Cain	Harburger	Meyer	Roche	Smith J E
Costello	Heller	Murphy	Rodenbeck	Streifler
Dillon	Henry	O'Connell	Sabine	Thorn
Doughty	Hitchcock	O'Connor	Sage S B	Torborg
Egan	Hoffman	Palmer	Sanders	Trainor
Finn	Juengst	Paris	Sandford	West
Fish	Kelly G T	Phillips	Schmid A F	Whipple
Fitzgerald	Kullman	Pickett	Schmid F	Wilson
Gale	Maher	Post	Schoeneck	Wingenfeld
Gallagher	Mangin	Poth	Sears	Wissel
Gleason	Mason			

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 87 }
 { NOES 23 }

Those who voted in the affirmative, were

Apgar	Fish	Kelly G T	Paris	Schoeneck
Babcock	Fitzgerald	Kelsey	Phillips	Sears
Baker	Gale	Kullman	Pickett	Sharkey
Ball	Gallagher	Lewis T D	Post	Siems
Bashford	Gould	Maher	Poth	Sloane J J
Baum	Grossman	Mangin	Redington	Smith J E
Brennan J F	Guider	Mason	Riedman	Smith J T
Bryan	Hallock	McEwan	Rierdon	Sprague
Cain	Harburger	McInerney	Roberts	Streifer
Coughtry	Hatch	McKeown	Roche	Thorn
Cross	Heller	McMillan	Rodenbeck	Torborg
Darrison	Henderson	Meister	Russell	Trainor
De Graw	Henry	Meyer	Sage S B	Tripp
Delaney	Hitchcock	Murphy	Sanders	West
Dillon	Hoffman	O'Connell	Sandford	Wilson
Doughty	Hutton	O'Connor	Schmid A F	Wingenfeld
Egan	Juengst	Palmer	Schmid F	Wissel
Finn	Kane			

Those who voted in the negative, were

Axtell	Fallows	Hays	Miles	Sawyer
Bedell	Fancher	Johnson	Patton	Ten Eyck
Clark	Fowler	Litchard	Rogers	Vincent
Cottle	Graham	Martin	Sands	Witter
Cowles	Greenwood	Mazet		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

Mr. Speaker announced the special order, being the bill (No. 1635) entitled "An act for the regulation of pharmacists and druggists and to prevent accidents and mistakes in the preparing and compounding of medicinal prescriptions in The City of New York." (Int. No. 40.)

Said bill having been announced for a third reading,

Mr. Henry moved that said bill be recommitted to the committee on public health.

Debate was had thereon, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Henry, and it was determined in the negative.

{ AYES 15 }
 { NOES 89 }

Those who voted in the affirmative, were

Babcock	Collier	Davis	Fancher	Sawyer
Baker	Cotton	Doughty	Henry	Sprague
Beede	Coughtry	Fallows	Post	Wilson

Those who voted in the negative, were

Ball	Finn	Hoffman	Palmer	Sloane J J
Barrett	Fish	Hutton	Patton	Smith J E
Bashford	Fitzgerald	Juengst	Poth	Smith J T
Baum	Fordyce	Kelly G T	Redington	Snyder
Bedell	Fowler	Kelsey	Riedman	Stoneman
Brennan J F	Gale	Kullman	Rierdon	Streifler
Brewster	Gallagher	Lewis T D	Roche	Sullivan W J
Bryan	Gardiner	Maher	Rodenbeck	Thorn
Bulkley	Gleason	Mangin	Russell	Torborg
Cain	Gould	Martin	Sabine	Trainor
Clark	Grossman	Mason	Sage S B	Tripp
Collins	Guider	McInerney	Sanders	Vincent
Cowles	Hallock	McKeown	Sands	Ware
Cross	Harburger	McMillan	Schmid A F	West
Darrison	Hatch	Meyer	Schmid F	Whipple
Delaney	Heller	Murphy	Schoeneck	Wingenfeld
Dillon	Henderson	O'Connell	Sharkey	Wissel
Ellis	Hitchcock	O'Connor	Siems	

Further debate was then had, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{ AYES 101 }
 { NOES 25 }

Those who voted in the affirmative, were

Ball	Ellis	Hoffman	Palmer	Siems
Barrett	Farrell	Hutton	Patton	Sloane J J
Bashford	Finn	Juengst	Poth	Smith J E
Baum	Fitzgerald	Kane	Redington	Smith J T
Bedell	Fordyce	Kelly G T	Riedman	Snyder
Boland	Fowler	Kelsey	Rierdon	Sprague
Brennan J F	Gale	Kullman	Roberts	Streifler
Brewster	Gallagher	Maher	Roche	Sullivan T P
Bryan	Gardiner	Mangin	Rodenbeck	Sullivan W J
Burnett	Gleason	Martin	Rogers	Ten Eyck
Cain	Gould	Mason	Rowe	Thorn
Collins	Guider	McEwan	Russell	Torborg
Costello	Hallock	McInerney	Sabine	Trainor
Coughtry	Harburger	McKeown	Sanders	Tripp
Cowles	Hatch	McMillan	Sandford	Vincent
Cross	Hays	Meister	Sands	Ware
Darrison	Heller	Meyer	Schmid A F	West
Delaney	Henderson	Murphy	Schmid F	Whipple
Dillon	Hill	O'Connell	Schoeneck	Wingenfeld
Dutton	Hitchcock	O'Connor	Sharkey	Wissel
Egan				

Those who voted in the negative, were

Babcock	Cotton	Fancher	Lewis T D	Sage H M
Baker	Davis	Fish	Litchard	Sawyer
Beede	De Graw	Greenwood	Mazet	Stoneman
Bulkley	Doughty	Henry	Paris	Wilson
Collier	Fallows	Lewis M E	Post	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1644) entitled "An act to protect the public health, by regulating the manufacture and sale of beer, ale and porter." (Int. No. 559.)

Said bill having been announced for a third reading,

Mr. Finn moved that said bill be recommitted to the committee on public health, with instructions to report the same forthwith amended as follows:

Page 2, line 16, after the word "beer" insert the following: "the provisions of this section shall also apply to all fermented liquors known as beer, ale or porter and beer known and called

lager beer which shall be brought into this state from any other state."

Page 5, line 7, after the word "members" insert the following: "the provisions of this section shall also apply to every non-resident corporation, association, manufacturer or company and individual, brewing, manufacturing or making beer, ale or porter, and beer known as and called lager beer."

Mr. Kelsey moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker, the Clerk called the roll, when the following members responded:

Apgar	Delaney	Henderson	O'Connell	Schmid F
Axtell	Dillon	Henry	O'Connor	Schoeneck
Babcock	Doughty	Hill	Palmer	Sears
Baker	Dutton	Hitchcock	Paris	Sharkey
Barrett	Egan	Hoffman	Patton	Siems
Bashford	Ellis	Johnson	Phillips	Sloane J J
Baum	Fancher	Juengst	Pickett	Smith J E
Bedell	Farrell	Kane	Post	Smith J T
Beede	Finn	Kelley E E	Poth	Snyder
Boland	Fish	Kelly G T	Redington	Sprague
Brennan E C	Fitzgerald	Kelsey	Riedman	Stoneman
Brennan J F	Fordyce	Kullman	Rierdon	Streifler
Brewster	Fowler	Lewis M E	Roberts	Sullivan W J
Bryan	Gale	Lewis T D	Roche	Ten Eyck
Burnett	Gallagher	Litchard	Rodenbeck	Thorn
Cain	Gardiner	Mangin	Rogers	Torborg
Clark	Gleason	Martin	Rowe	Trainor
Collier	Gould	Mason	Russell	Tripp
Costello	Graham	Mazet	Sabine	Vincent
Cottle	Greenwood	McEwan	Sage H M	Ware
Cotton	Guider	McInerney	Sage S B	Wset
Coughtry	Hallock	McMillan	Sanders	Whipple
Cowles	Harburger	Meister	Sandford	Wilson
Cross	Hatch	Meyer	Sands	Wingenfeld
Darrison	Hays	Miles	Sawyer	Wissel
Davis	Heller	Murphy	Schmid A F	Witter
De Graw				

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Mr. Kelsey moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was then had on said motion of Mr. Finn, when Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Mr. Speaker then put the question whether the House would agree to said motion of Mr. Finn, and it was determined in the negative.

{ AYES 61 }
{ NOES 74 }

Those who voted in the affirmative, were

Ball	Fitzgerald	Juengst	Phillips	Schmid F
Barrett	Gale	Kane	Pickett	Schoeneck
Bashford	Gallagher	Kelly G T	Poth	Sharkey
Baum	Grossman	Kullman	Redington	Siems
Boland	Guider	Maher	Reidman	Sloane J J
Brennan J	F Harburger	Mangin	Rierdon	Smith J E
Cain	Heller	McInerney	Roberts	Streifler
Collins	Henderson	McKeown	Roche	Sullivan W J
Delaney	Henry	Meyer	Rodenbeck	Torborg
Dillon	Hitchcock	O'Connell	Sage S B	Trainor
Doughty	Hoffman	Palmer	Sanders	Wingenfeld
Egan	Hutton	Paris	Schmid A F	Wissel
Finn				

Those who voted in the negative, were

Apgar	Coughtry	Gleason	Mazet	Sears
Axtell	Cowles	Gould	McEwan	Smith J T
Babcock	Cross	Graham	McMillan	Snyder
Baker	Darrison	Greenwood	Miles	Sprague
Bedell	Davis	Hallock	Murphy	Stoneman
Beede	De Graw	Hatch	Patton	Ten Eyck
Brennan E	C Dutton	Hays	Post	Thorn
Brewster	Ellis	Hill	Rogers	Tripp
Bryan	Fallows	Johnson	Rowe	Vincent
Burnett	Fancher	Kelley E E	Russell	Ware
Clark	Farrell	Kelsey	Sabine	West
Collier	Fish	Lewis T D	Sage H M	Whipple
Costello	Fordyce	Litchard	Sandford	Wilson
Cottle	Fowler	Martin	Sands	Witter
Cotton	Gardiner	Mason	Sawyer	

Debate was had on the third reading of said bill, when Mr. Kelsey moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof and three-fifths being present.

{	AYES	80	}
{	NOES	59	}

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McMillan	Sears
Apgar	Cowles	Greenwood	Meister	Sharkey
Axtell	Cross	Hallock	Miles	Smith J T
Babcock	Darrison	Hatch	Murphy	Snyder
Baker	De Graw	Hays	Palmer	Sprague
Bedell	Dutton	Heller	Patton	Stoneman
Beede	Ellis	Hill	Post	Ten Eyck
Brennan EC	Fallows	Johnson	Roberts	Thorn
Brewster	Fancher	Kelley E E	Rogers	Tripp
Bryan	Farrell	Kelsey	Rowe	Vincent
Burnett	Fish	Lewis T D	Russell	Ware
Clark	Fordyce	Litchard	Sage H M	West
Collier	Fowler	Martin	Sandford	Whipple
Costello	Gallagher	Mason	Sands	Wilson
Cottle	Gleason	Mazet	Sawyer	Witter
Cotton	Gould	McEwan	Schoeneck	Speaker

Those who voted in the negative, were

Ball	Egan	Hutton	Paris	Schmid A F
Barrett	Finn	Juengst	Phillips	Schmid F
Bashford	Fitzgerald	Kane	Pickett	Siems
Baum	Gale	Kelly G T	Poth	Sloane J J
Boland	Gardiner	Kullman	Redington	Smith J E
Brennan J F	Grossman	Lewis M E	Riedman	Streifler
Cain	Guider	Maher	Rierdon	Sullivan W J
Collins	Harburger	Mangin	Roche	Torborg
Davis	Henderson	McInerney	Rodenbeck	Trainor
Delaney	Henry	McKeown	Sabine	Wingenfeld
Dillon	Hitchcock	Meyer	Sage S B	Wissel
Doughty	Hoffman	O'Connor	Sanders	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1945) entitled "An act to amend sections 2647, 2649, 2651, 2652, 2653-a, 2626, and 2627 of the Code of Civil Procedure, relating to revocation of probate." (Int. No. 303.)

Said bill having been announced for a third reading,

Mr. Palmer moved that said bill be recommitted to the committee on codes, with instructions to report the same forthwith amended as follows:

Page 3, line 2, after the word "jury" insert the words "in which case a trial by jury shall be had as herein provided."

Same page, line 16, after the word "dead" strike out the words "or without the state."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Hill, from the committee on codes, reported said bill amended as directed and the same was ordered reprinted and placed on the order of third reading.

Mr. Speaker announced the special order, being the bill (No. 321) entitled "An act to amend section 28 of chapter 689 of the Laws of 1892, entitled 'An act in relation to banking corporations.'" (Int. No. 313.)

Said bill having been announced for a second reading,

On motion of Mr. Sanders, and by unanimous consent, said bill was made a special order on second reading for Monday next immediately after the reading of the journal.

Mr. Speaker announced the special order, being the bill (No. 396) entitled "An act to regulate the occupation of barbers, and to provide for the sanitary inspection of barber shops." (Int. No. 381.)

Said bill having been announced for a second reading,

On motion of Mr. Kelsey, said bill was laid aside, retaining its place on the order of second reading.

Mr. Speaker announced the special order, being the bill (No. 2066) entitled "An act to amend chapter 26 of the Laws of 1885, entitled 'An act to revise, amend and consolidate the several acts

in relation to the city of Syracuse, and to revise and amend the charter of said city,' relating to the police department." (Int. No. 402.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 122 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Guider	McInerney	Schmid A F
Alldis	Cross	Hallock	McKeown	Schmid F
Apgar	Darrison	Hatch	McMillan	Schoeneck
Axtell	Davis	Hays	Meister	Sears
Babcock	Dean	Heller	Meyer	Siems
Baker	De Graw	Henderson	Mohring	Slater
Ball	Dillon	Henry	Murphy	Sloane C A
Barrett	Doughty	Hill	O'Connell	Smith J E
Baum	Egan	Hitchcock	O'Connor	Smith J T
Bedell	Ellis	Hoffman	Paris	Snyder
Beede	Evarts	Hutton	Phillips	Stoneman
Boland	Fancher	Johnson	Pickett	Streifler
Brennan E O	Farrell	Juengst	Poth	Sullivan T P
Brennan J F	Fish	Kelley E E	Riedman	Sullivan W J
Brown	Fitzgerald	Kelly G T	Rierdon	Ten Eyck
Bryan	Fordyce	Kelsey	Roberts	Thorn
Bulkley	Fowler	Kullman	Roche	Trainor
Burnett	Gallagher	Lewis M E	Rogers	Tripp
Clark	Gardiner	Lewis T D	Rowe	Vincent
Collier	Gleason	Litchard	Sabine	West
Collins	Gould	Maugin	Sage S B	Whipple
Costello	Graham	Martin	Sanders	Wingenfeld
Cottle	Green	Mason	Sands	Wissel
Cotton	Greenwood	McEwan	Sawyer	Witter
Coughtry	Grossman			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No.

2068) entitled "An act to amend section 484 of the Code of Criminal Procedure, relative to power to remit fines and imprisonment in case of failure to pay fines." (Int. No. 512.)

Said bill having been announced for a third reading,

Mr. Kelsey moved a call of the members of the House.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

By direction of the Speaker the Clerk called the roll, when the following members responded:

Apgar	Darrison	Hatch	McKeown	Sanders
Axtell	Davis	Hays	McMillan	Sandford
Babcock	De Graw	Heller	Meister	Sands
Baker	Delaney	Henry	Meyer	Schoeneck
Barrett	Dillon	Hill	Miles	Sharkey
Bashford	Dutton	Hitchcock	Murphy	Smith J E
Bedell	Ellis	Hoffman	Palmer	Smith J T
Beede	Fallows	Hutton	Paris	Snyder
Brennan E C	Finn	Johnson	Patton	Stoneman
Brennan J F	Fish	Kane	Phillips	Streifler
Bryan	Fitzgerald	Kelley E E	Pickett	Sullivan W J
Burnett	Fowler	Kelsey	Post	Trainor
Cain	Gale	Kullman	Rierdon	Tripp
Clark	Gallagher	Lewis T D	Roberts	Vincent
Collier	Gardiner	Litchard	Roche	Ware
Costello	Gleason	Martin	Rodenbeck	West
Cotton	Grossman	Mason	Rowe	Whipple
Coughtry	Hallock	Mazet	Sabine	Wilson
Cowles	Harburger	McEwan	Sage S B	Witter 95

The Clerk furnished a list of absentees to the Sergeant-at-Arms, who appeared in due time, before the bar of the House, with Messrs. Fancher, Ten Eyck, Graham, Lewis, H. M. Sage, Doughty, Fordyce, Sawyer, Brewster, Russell and Rogers, each of whom, upon giving satisfactory explanation for being absent, was excused.

Mr. Kelsey moved that all further proceedings, under the call of the House, be suspended.

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Debate was had on the third reading of said bill, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question " Shall the main question be now put? " and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 77 }
{ NOES 43 }

Those who voted in the affirmative, were

Apgar	Cowles	Hatch	McMillan	Sawyer
Axtell	Darrison	Hays	Miles	Sears
Babcock	Davis	Henry	Murphy	Smith J T
Baker	De Graw	Hill	Paris	Snyder
Bedell	Doughty	Hitchcock	Patton	Stoneman
Beede	Dutton	Johnson	Post	Ten Eyck
Brennan E	Cellis	Kelley E E	Roberts	Thorn
Brewster	Fallows	Kelsey	Rodenbeck	Tripp
Bryan	Fancher	Lewis M E	Rogers	Vincent
Burnett	Fish	Lewis T D	Rowe	Ware
Clark	Fordyce	Litchard	Russell	West
Collier	Fowler	Martin	Sabine	Whipple
Costello	Gardiner	Mason	Sage H M	Wilson
Cottle	Gleason	Mazet	Sandford	Witter
Cotton	Graham	McEwan	Sands	Speaker
Coughtry	Hallock			

Those who voted in the negative, were

Barrett	Grossman	Kullman	Phillips	Siems
Brennan J F	Harburger	Maher	Pickett	Sloane J J
Dillon	Heller	Mangin	Rierdon	Smith J E
Egan	Henderson	McInerney	Roche	Streifler
Finn	Hoffman	McKeown	Sage S B	Sullivan W J
Fitzgerald	Hutton	Meister	Schmid A F	Torborg
Gale	Juengst	Meyer	Schoeneck	Trainor
Gallagher	Kane	O'Connell	Sharkey	Wissel
Gould	Kelly G T	Palmer		

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2067) entitled "An act to regulate the employment of workmen for doing electric wiring in the city of Buffalo, and providing for a board of electrical commissioners." (Int. No. 607.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 137 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cowles	Hallock	McKeown	Sage S B
Allds	Cross	Harburger	McMillan	Sanders
Apgar	Darrison	Hatch	Meister	Sandford
Axtell	Davis	Hays	Meyer	Sawyer
Babcock	Dean	Heller	Miles	Schmid A F
Baker	De Graw	Henderson	Mohring	Schmid F
Ball	Delaney	Henry	Murphy	Schoeneck
Barrett	Dillon	Hill	O'Connell	Sears
Bashford	Doughty	Hitchcock	O'Connor	Sharkey
Baum	Egan	Hoffman	Palmer	Siems
Bedell	Ellis	Johnson	Paris	Slater
Beede	Evarts	Juengst	Patton	Sloane C A
Boland	Fallows	Kane	Phillips	Sloane J J
Brennan E C	Fancher	Kelley E E	Pickett	Smith J E
Brennan J F	Farrell	Kelly G T	Post	Smith J T
Brewster	Finn	Kelsey	Poth	Snyder
Brown	Fish	Kullman	Redington	Sprague
Bryan	Fitzgerald	Lewis M E	Riedman	Stoneman
Bulkley	Fordyce	Lewis T D	Rierdon	Streifler
Burnett	Fowler	Litchard	Roberts	Sullivan T P
Cain	Gale	Maher	Roche	Sullivan W J
Clark	Gallagher	Mangin	Rodenbeck	Ten Eyck
Collier	Gould	Martin	Rogers	Whipple
Collins	Graham	Mason	Rowe	Wilson
Costello	Green	Mazet	Russell	Wingenfeld
Cottle	Greenwood	McEwan	Sabine	Wissel
Cotton	Grossman	McInerney	Sage H M	Witter
Coughtry	Guider			

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 2061) entitled "An act to make the office of register of the county of Kings a salaried office and regulating the management of said office." (Int. No. 949.)

Said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 79 }
 { NOES 45 }

Those who voted in the affirmative, were

Adler	Cowles	Gleason	Mazet	Sands
Apgar	Darrison	Graham	McEwan	Sawyer
Axtell	Davis	Hallock	McMillan	Sears
Babcock	Dean	Hatch	Miles	Smith J T
Baker	DeGraw	Hays	Murphy	Snyder
Bedell	Delaney	Henry	Paris	Stoneman
Beede	Doughty	Hill	Patton	Ten Eyck
Brennan E C	Dutton	Hitchcock	Post	Tripp
Brewster	Ellis	Johnson	Roberts	Vincent
Bryan	Evarts	Kelley E E	Rodenbeck	Ware
Burnett	Fallows	Kelsey	Rogers	West
Clark	Fancher	Lewis M E	Rowe	Whipple
Collier	Fish	Lewis T D	Russell	Wilson
Costello	Fordyce	Litchard	Sabine	Witter
Cottle	Fowler	Martin	Sage H M	Speaker
Coughtry	Gardiner	Mason	Sandford	

Those who voted in the negative, were

Ball	Gould	Juengst	Meyer	Sharkey
Barrett	Green	Kane	Mohring	Siems
Brennan J F	Grossman	Kelly G T	Palmer	Sloane J J
Dillon	Guider	Kullman	Pickett	Smith J E
Egan	Harburger	Maher	Rierdon	Streifler
Farrell	Heller	Mangin	Roche	Torborg
Finn	Henderson	McInerney	Sage S B	Trainer
Fitzgerald	Hoffman	McKeown	Schmid F	Wingenfeld
Gale	Hutton	Meister	Schoeneck	Wissel
Gallagher				

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Speaker announced the special order, being the bill (No. 1700) entitled "An act to amend chapter 908 of the Laws of 1896, entitled 'An act in relation to taxation, constituting chapter 24 of the general laws,' as amended by chapter 76 of the Laws of 1899, relating to taxable transfers of property." (Int. No. 1314.)

Said bill having been announced for a third reading,

Debate was had thereon, when

Mr. Kelsey moved the previous question.

Mr. Speaker put the question "Shall the main question be now put?" and it was determined in the affirmative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 78 }
{ NOES 44 }

Those who voted in the affirmative, were

Adler	Coughtry	Graham	McEwan	Sawyer
Apgar	Cowles	Hallock	McMillan	Sears
Axtell	Darrison	Hatch	Miles	Smith J T
Babcock	Davis	Hays	Murphy	Snyder
Baker	De Graw	Henry	Paris	Stoneman
Bedell	Delaney	Hill	Patton	Ten Eyck
Beede	Doughty	Hitchcock	Post	Thorn
Brennan E C	Dutton	Johnson	Roberts	Tripp
Brewster	Ellis	Kelley E E	Rodenbeck	Vincent
Bryan	Fallows	Kelsey	Rogers	Ware
Burnett	Fancher	Lewis M E	Rowe	West
Clark	Fish	Lewis T D	Russell	Whipple
Collier	Fordyce	Litchard	Sabine	Wilson
Costello	Fowler	Martin	Sage H M	Witter
Cottle	Gardiner	Mason	Sandford	Speaker
Cotton	Gleason	Mazet		

Those who voted in the negative, were

Ball	Gallagher	Kane	Phillips	Sloane J J
Barrett	Gould	Kelly G T	Pickett	Smith J E

Brennan J F	Guider	Kullman	Riedman	Streiffer
Cain	Harburger	Mangin	Rierdon	Sullivan W J
Dillon	Heller	McInerney	Roche	Torborg
Egan	Henderson	McKeown	Sage S B	Trainor
Finn	Hoffman	Meyer	Schmid A F	Wingenfeld
Fitzgerald	Hutton	O'Connell	Sharkey	Wissel
Gale	Juengst	Palmer	Siems	

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

Mr. Kelsey offered for the consideration of the House a resolution in the words following:

Resolved, That Assembly rules Nos. 3, 4, 5, 14, 15, 16, 17, 19, 20, 25, 26, 27, 28, 35, 36, 49, 52 and 55 be suspended for the purpose reading and passing out of its order Senate bill No. 1055, entitled "An act to authorize the city of Utica to acquire, construct, maintain and operate a system of municipal water works for the supply of said city and its inhabitants with water, and to provide the necessary funds therefor and creating a commission for the purpose." (Rec. No. 299.)

Mr. Speaker put the question whether the House would agree to the said resolution, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 80 }
{ NOES 24 }

Those who voted in the affirmative, were

Adler	Cotton	Hatch	McEwan	Sands
Apgar	Coughtry	Hays	McMillan	Sawyer
Axtell	Cowles	Henry	Miles	Sears
Babcock	Darrison	Hill	Murphy	Smith J T
Baker	Davis	Hitchcock	Paris	Snyder
Bashford	De Graw	Hutton	Patton	Stoneman
Bedell	Delaney	Johnson	Post	Streiffer
Beede	Doughty	Kane	Rierdon	Sullivan W J
Brennan E	Cellis	Kelley E E	Roberts	Thorn
Brewster	Fallows	Kelsey	Rodenbeck	Tripp
Bryan	Fancher	Lewis M E	Rogers	Vincent
Burnett	Fordyce	Lewis T D	Rowe	West
Clark	Fowler	Litchard	Russell	Whipple
Collier	Gleason	Martin	Sabine	Wilson
Costello	Graham	Mason	Sage H M	Witter
Cottle	Hallock	Mazet	Sandford	Speaker

Those who voted in the negative, were

Ball	Gale	Juengst	Roche	Sloane J J
Barrett	Gallagher	McInerney	Schmid F	Smith J E
Brennan J F	Guider	Meyer	Schoeneck	Wingenfeld
Cain	Henderson	O'Connell	Sharkey	Wissel
Finn	Hoffman	Phillips	Siems	

Said bill having been announced for a second reading,

On motion of Mr. W. J. Sullivan, said bill was placed on the order of third reading.

Said bill having been announced for a third reading,

Mr. McKeown moved that said bill be recommitted to the committee on cities, with instruction to report the same forthwith amended as follows:

Page 1, line 3, after the word "commissioner" add the words "to be elected by the people at the election herein provided for."

Same page, line 5, strike out the word "every" and insert the word "each."

Mr. Speaker put the question whether the House would agree to said motion of Mr. McKeown, and it was determined in the negative.

Said bill was then read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the House would agree to the final passage of said bill, and it was determined in the affirmative, a majority of all the members elected to the Assembly voting in favor thereof, and three-fifths being present.

{ AYES 100 }
{ NOES 8 }

Those who voted in the affirmative, were

Adler	Davis	Hitchcock	O'Connell	Sears
Apgar	De Graw	Hutton	Paris	Sharkey
Axtell	Delaney	Johnson	Patton	Siems
Babcock	Dutton	Kane	Phillips	Sloane J J
Baker	Egan	Kelly G T	Pickett	Smith J E
Barrett	Fallows	Kelsey	Post	Smith J T
Bedell	Fancher	Kullman	Riedman	Snyder
Beede	Fish	Lewis M E	Rierdon	Stoneman
Brennan E C	Fitzgerald	Lewis T D	Roberts	Streifler

Brewster	Fordyce	Litchard	Rodenbeck	Sullivan W J
Burnett	Fowler	Mangin	Rogers	Ten Eyck
Clark	Gould	Martin	Rowe	Thorn
Collier	Graham	Mason	Russell	Trainor
Costello	Hallock	Mazet	Sabine	Tripp
Cottle	Harburger	McEwan	Sage H M	Vincent
Cotton	Hatch	McMillan	Sandford	Ware
Coughtry	Hays	Meister	Sands	Whipple
Cowles	Heller	Meyer	Sawyer	Wilson
Cross	Henderson	Miles	Schmid A F	Wissel
Darrison	Hill	Murphy	Schoeneck	Witter

Those who voted in the negative, were

Bryan	Finn	Kelley E E	McKeown	West
Doughty	Gale	Maher		

Ordered, That the Clerk return said bill to the Senate, with a message that the Assembly have concurred in the passage of the same.

By unanimous consent,

Mr. Phillips called up the Senate bill (No. 927, Assembly reprint No. 2079) entitled "An act to amend section 1268 of the Code of Civil Procedure, relating to a discharge of a judgment against a bankrupt discharged from his debts" (Rec. No. 258), now on the order of third reading.

Said bill having been announced for a third reading,

Mr. Phillips moved that said bill be recommitted to the committee on revision, with instructions to report the same forthwith amended as follows:

Page 2, line 17, after the word "enforced" insert the words "against said real estate."

Mr. Speaker put the question whether the House would agree to said motion, and it was determined in the affirmative.

Mr. Coughtry, from the committee on revision, reported said bill amended as directed, and the same was ordered reprinted and placed on the order of third reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Kelsey, Int. No. 1486, entitled "An act authorizing the building of a canal and locks, in and near Cohoes, to connect the Erie and Champlain canals,

and for other purposes " (No. 2026), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Beede, Int. No. 1416, entitled " An act to authorize the Comptroller of this State to hear and determine the application of Rawson L. Hayes for the cancellation of the tax sales for unpaid taxes of three acres of land in the southeast corner of lot No. 122, in township 11 of the Old Military Tract, town of St. Armand, county of Essex, State of New York " (No. 1880), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill be placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Clark, Int. No. 546, entitled " An act to provide for the construction of a bridge over Black river, at Pratt's landing, between the towns of Greig and Turin, in the county of Lewis, and making an appropriation therefor " (No. 580), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Paris, Int. No. 499, entitled " An act to provide for making repairs and improvements to the Glens Falls feeder of the Champlain canal and making an appropriation therefor " (No. 526), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Paris, Int. No. 461, entitled " An act to provide for making repairs and improvements to the Glens Falls feeder of the Champlain canal and making an appropriation therefor " (No. 481), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which

was referred the bill introduced by Mr. Pickett, Int. No. 113, entitled "An act to authorize the Comptroller to hear and determine an application of M. V. B. Turner for cancellation of tax sales of the northeast one-fourth of lot No. 270, township 10, O. M. T., Franklin county, for unpaid taxes" (No. 113), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Paris, Int. No. 1444, entitled "An act to authorize the Comptroller of the State to hear and determine an application of George L. Clemons for cancellation of tax sales of lot No. 98, South Bay tract in the town of Dresden, washington county, for unpaid taxes" (No. 1941), retaining its place on the order of third reading, reported in favor of the passage of the same, with the following amendments:

After section 1 insert the following:

"§ 2. Prior to the hearing upon such application, the said Rawson L. Hayes shall cause to be served upon the attorney-general of this state a notice of said hearing. Said notice shall be served at least fourteen days before the date of said hearing."

Change "§ 2" to "§ 3."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and restored to its place on the order of third reading, and referred to the committee on revision.*

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Ball, Int. No. 1339, entitled "An act to establish a State Industrial School for Colored Orphan Children, and making an appropriation therefor" (No. 1761), reported in favor of the passage of the same, with the following amendment:

Page 1, line 10, strike out the word "five."

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. H. M. Sage, Int. No. 1006, entitled "An act to provide for the construction of a bridge over the Champlain canal, at Ontario street, in the city of Cohoes, and making an appropriation therefor" (No. 1175), reported in favor of the passage of the same, with the following amendment:

Change period to semicolon at end of section one and add the words "but no part of the money hereby appropriated shall be available, except for the necessary plans, until the execution of the contract by responsible parties to the state superintendent of public works for the completion of said bridge at a cost within said appropriation and the filing of said contract with the state comptroller."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. E. E. Kelley, Int. No. 648, entitled "An act to provide for cleaning out and improving the channel of the West Canada creek and building a dyke and embankment along the westerly bank thereof, and cleaning out the debris in the Mohawk river at the mouth of the said creek, and providing means for draining and protecting property in the vicinity of said creek in the eastern and southeastern part of the village of Herkimer, in the county of Herkimer, from floods and overflow, to remedy the unsanitary condition at said village, and making an appropriation therefor" (No. 695), reported in favor of the passage of the same, with the following amendments:

Page 1, line 1, strike out the word "fifteen" and insert the word "six."

Change period to semicolon at end of section two and insert the words "but no part of the money hereby appropriated shall be available, except for the necessary plans, until the execution of the contract by responsible parties to the state superintendent of public works for the completion of said bridge at a cost

within said appropriation and the filing of said contract with the state comptroller."

J. P. ALLDS,

Chairman.

Which report was agreed to, and said bill ordered reprinted as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the bill introduced by Mr. Thorn, Int. No. 583, entitled "An act making an appropriation to continue the erection of the Eastern New York Reformatory" (No. 623), reported in favor of the passage of the same, with the following amendments:

Strike out all of section 1 and insert in place thereof the following:

Section 1. The sum of one hundred and fifty-six thousand, five hundred and thirty-three dollars and fifty cents is hereby appropriated out of any moneys in the treasury not otherwise appropriated, payable by the treasurer upon the warrant of the comptroller, for the work heretofore performed in the construction of the Eastern New York Reformatory, of which sum seventy-one thousand and ninety dollars and fifty cents is payable to Milliken Brothers and the balance unto C. H. Ackerman upon the audit of the commissioners. And the further sum of one hundred thousand dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purpose of continuing the work upon the said Eastern New York Reformatory as follows: The sum of fifteen hundred dollars, or so much thereof as may be necessary, for the wiring and necessary electric fixtures; the sum of ten thousand dollars, or so much thereof as may be necessary, for the installing of a proper heating and ventilating plant; the sum of eight thousand dollars, or so much thereof as may be necessary, for sewerage; the sum of twelve thousand nine hundred and fifteen dollars or so much thereof as may be necessary, for the kitchen building including laundry; the sum of thirteen thousand seven hundred and ninety-six dollars, or so much thereof as may be necessary, for the building of a boiler house, stack and conduits; the sum of twenty two thousand two hundred dollars, or so much thereof as may be necessary, for the furnishing of the center building; the sum of fourteen thousand four hundred dollars, or so much thereof as may be necessary, for furnishing the north wing; the sum of three thousand eight hundred and eighty-nine dollars, or so much thereof as may be necessary for the furnishing of the windows of the south wing; the sum of six thousand dollars, or so much

thereof as may be necessary, for additional foundation work for the new buildings; the sum of twenty-three hundred dollars, or so much thereof as may be necessary, for the providing of a temporary water supply, kitchen and necessary materials; and the sum of five thousand dollars, or so much thereof as may be necessary, for the expenses of the necessary inspection and engineering; and of the foregoing sums the sum of fifty-seven thousand five hundred and three dollars is hereby appropriated to the building commission of the Eastern New York Reformatory for the necessary contract work and the sum of forty-two thousand four hundred and ninety-seven dollars is appropriated to the said building commissioners to be by them paid out upon proper audit upon the order of the superintendent of state prisons for the necessary material and performance of work under his direction; all of the foregoing work to be done under the direction of the state architect upon plans and specifications prepared by or under the supervision of the said state architect who shall also determine what portions of the work shall be done by contract and no part of the money hereby appropriated for work to be done under contract shall be available, except for the necessary plans and specifications, until after the execution of the several contracts for the respective items specified by a responsible party or parties for the completion of said work at a cost within the amount appropriated for said items of contract work and the filing of said contracts with the state comptroller.

J. P. ALLDS,
Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Allds, from the committee on ways and means, to which was referred the Senate bill introduced by Mr. Higgins, Rec. No. 221, entitled "An act to amend the State Finance Law, in relation to the duties of State officers concerning receipts and expenditures" (No. 909), reported in favor of the passage of the same, without amendment, which report was agreed, to and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Adler, Int. No. 618, entitled "An act to amend chapter 214 of the Laws of 1891, being an amendment of chapter 314 of the Laws of 1885, entitled 'An act for the protection of life and limb' and all other laws amendatory thereof" (No. 666), reported in favor of the passage of the

same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Hutton, Int. No. 1303, entitled "An act to prohibit inmates of industrial schools or correctional institutions of the State, from interfering with or depriving professional or other musicians of engagements at their profession or calling" (No. 1630), reported in favor of the passage of the same, with the following amendment:

Page 1, line 2, after the word "any" insert the word "state."

Same page, line 3, after the word "institution" strike out the word "of" and insert the words "controlled or managed by;" also after the word "or" insert the word "any," and after the word "thereof" strike out rest of the line.

Same page, strike out all of line 4, and the words "incorporate body" on line 5.

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the bill introduced by Mr. Davis, Int. No. 682, entitled "An act to amend the Domestic Relations Law, in relation to adoption" (No. 747), reported in favor of the passage of the same, with the following amendment:

Page 1, strike out lines 6, 7, 8, 9 and 10.

Page 2, strike out lines 1, 2, 3 and 4, and insert the words "But when the mother of an illegitimate child under the age of five years has by an instrument in writing absolutely surrendered and given its custody and control to an incorporated orphan asylum or other charitable institution authorized by law to receive such child and such child has remained an inmate of such institution for a period of not less than one year before the application is made for the adoption her consent to the adoption shall not be necessary."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Fish, from the committee on general laws, to which was recommitted the bill introduced by Mr. Guider, Int. No. 244, en-

titled "An act in relation to the construction and alteration of elevators and elevator shafts in hotels of three stories in height or over" (No. 1726), retaining its place on the order of second reading, reported in favor of the passage of the same with the following amendments:

Page 1, line 3, after the word "stone" strike out the word "or," and after the word "brick" insert the words "or other fire proof material approved by the building department; in the cities or municipalities or other sub-divisions of the state."

Page 2, line 1, after the word "material" strike out rest of line.

Same page, strike out lines 2, 3, 4 and 5.

Same page, line 16, after the word "within" strike out the words "ninety days" and insert the words "sixty days."

Same page, line 18, after the word "elevator" insert the words "elevator shaft."

Same page, line 19, after the word "elevator" insert the words "and elevator shaft."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted and restored to its place on the order of second reading.

Mr. Fish, from the committee on general laws, to which was referred the Senate bill introduced by Mr. Feeter, Rec. No. 267, entitled "An act to amend section 4 of chapter 568 of the Laws of 1890, entitled 'An act in relation to highways, constituting chapter 19 of the general laws,' as amended by chapter 212 of the laws of 1891, in relation to the free flow of water in rivers and streams" (No. 1060), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrenchment, to which was referred the bill introduced by Mr. H. F. Schmid, Int. No. 1479, entitled "An act to provide for the taxation of certain public vehicles and conveyances" (No. 2020), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. De Graw, from the committee on taxation and retrench-

ment, to which was referred the bill introduced by Mr. A. F. Schmid, Int. No. 1477, entitled "An act to provide for the taxation of certain machines and contrivances" (No. 2018), reported in favor of the passage of the same, with the following amendment:

Page 1, line 7, strike out the word "five" and insert in place thereof the word "two."

ROBERT J. FISH,

Chairman.

Which report was agreed to, and said bill ordered reprinted, as amended, and placed on the order of second reading.

Mr. Mason, from the committee on claims, to which was referred the bill introduced by Mr. Henderson, Int. No. 1203, entitled "An act to confer jurisdiction upon the Court of Claims to hear, audit and determine the alleged claim of the county of Westchester against the State for a refund of taxes paid on erroneous valuations of property in said county for the years, 1896 and 1897" (No. 1497), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was recommitted the bill introduced by Mr. Apgar, Int. No. 233, entitled "An act to amend the Fisheries, Game and Forest Law, in relation to taking shad in the Hudson river" (No. 1840), retaining its place on the order of second reading, reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was recommitted the bill introduced by Mr. Apgar, Int. No. 1335, entitled "An act to amend chapter 488 of the Laws of 1892 entitled "An act for the protection, preservation and propagation of birds, fish and wild animals in the State of New York, and the different counties thereof,' relating to shooting game in Westchester county upon the public highway" (No. 1743), retaining its place on the order of third reading, reported in favor

of the passage of the same, without amendment, which report was agreed to, and said bill ordered restored to its place on the order of third reading, and referred to the committee on revision.

Mr. Axtell, from the committee on fisheries and game, to which was referred the Senate bill introduced by Mr. Brown, Rec. No. 253, entitled "An act to amend the Fisheries, Game and Forest Law, relative to use of dogs in hunting deer" (No. 995), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Axtell, from the committee on fisheries and game, to which was referred the Senate bill introduced by Mr. Chahoon, Rec. No. 255, entitled "An act to amend the Fisheries, Game and Forest Law relating to the transportation of trout" (No. 994), reported in favor of the passage of the same, without amendment, which report was agreed to, and said bill placed on the order of second reading.

Mr. Coughtry, from the committee on revision, to which was referred the following entitled bills, reported the same without recommendation:

"An act to amend section 688 of the Code of Civil Procedure relative to defendant's undertaking in attachment." (No. 2048, Int. No. 1276.)

"An act to amend the Benevolent Orders Law relating to the Benevolent and Protective Order of Elks." (No. 2050, Int. No. 1360.)

"An act to amend chapter 908 of the Laws of 1896, entitled "An act relating to taxation, constituting chapter 24 of the general laws, relating to exemptions of property owned by fraternal associations or corporations connected with colleges and universities." (No. 2058, Int. No. 1481.)

"An act to authorize and empower the board of police commissioners of the city of New York to reconsider the resignation of Charles B. Von Gerichten and Adolphus Brown as patrolmen of the police department of the city of New York." (No. 2004, Int. No. 1285.)

"An act to amend the County Law, in relation to the appointment of district attorneys in certain cases." (No. 2051, Int. No. 1412.)

"An act to amend the Labor Law, relating to the employment of citizens of the United States on public works." (No. 2073, Int. No. 1247.)

"An act to exempt the real estate of the 'Colored Home and Hospital' in the city of New York from taxation, assessments and water rates." (No. 135, Int. No. 135.)

"An act to make an appropriation for the payment of the judgments of the Court of Claims." (No. 1943, Int. No. 1446.)

"An act to amend section 1323 of the Code of Civil Procedure, relative to appeals." (No. 2046, Int. No. 1194.)

"An act providing for the more effective enforcement of the laws of the State of New York." (No. 2077, Int. No. 41.)

"An act authorizing the construction of a steel bridge and abutments and approaches thereto over the Erie canal in the town of Saint Johnsville, and making an appropriation therefor." (No. 2043, Int. No. 1082.)

"An act making an appropriation for the proper equipment, improvement and betterment of the Rome State Custodial Asylum, and to erect additional buildings therefor." (No. 2034, Int. No. 212.)

"An act to provide for the payment of the salaries of those who have served as janitors of Municipal Courts in the borough of Brooklyn, in the city of New York." (No. 2081, Int. No. 1272.)

"An act to provide that additional facilities for free instruction in natural history, geography and kindred subjects, by means of pictorial representation and lectures, may be furnished to the free common schools of each city and village of the State that has or may have a superintendent of free common schools." (No. 2038, Int. No. 443.)

"An act to promote and provide for the security of life in hotels." (No. 2082, Int. No. 1363.)

"An act to regulate the fares for foot passengers on the ferry

operated between Long Island City, in the borough of Queens, and Thirty-fourth street, borough of Manhattan, New York city." (No. 2008, Int. No. 342.)

"An act to improve the public health of the city of New York by the cultivation of trees and vegetation in the streets thereof, and to impose certain duties in relation thereto upon the park board and the commissioners of parks of said city." (No. 2006, Int. No. 964.)

Ordered, That said bills be engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred Senate bill No. 953, Rec. No. 303, and Assembly bill No. 1713, Int. No. 1278, entitled "An act to amend chapter 361 of the Laws of 1897, entitled 'An act to incorporate the city of North Tonawanda,'" reported that they have compared the same and find that they are identical, which report was agreed to, and said Senate bill was ordered substituted for said Assembly bill, and placed on the order of third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2010) entitled "An act to establish and maintain a water department in and for the city of Hornellsville" (Int. No. 200), reported the same with the following recommendations:

Page 3, line 18, capitalize the words "water board."

Same page, line 25, after the word "employment" insert a comma.

Page 4, line 5, after the word "whatsoever" insert a comma.

Same page, line 14, capitalize the words "water board."

Page 5, line 1, capitalize the words "water board."

Same page, line 11, strike out the word "to" and insert the words "at a term of the appellate division of."

Same page, line 12, strike out the words "at the appellate division thereof."

Same page, line 13, strike out the word "thereof" and insert the words "of the supreme court."

Same page, lines 18 and 19, after the word "otherwise" insert a comma.

Page 8, line 11, after the word "proceedings" insert the word "personally."

Same page, line 17, after the word "therein" strike out colon and insert period.

Page 9, line 25, capitalize the words "water board."

Page 10, line 6, after the word "made" insert a comma, also after the word "court" insert a comma.

Same page, line 15, strike out the word "an" and insert the words "a term of the."

Same page, line 16, strike out the word "thereof" and insert the words "of the supreme court."

Same page, line 17, strike out the word "thereof" and insert the words "of the supreme court."

Page 11, line 11, after the word "appeal" insert a comma.

Same page, line 12, add the letter "s" to the word "appeal," also add the letter "s" to the word "action," also after the word "action" insert a comma.

Same page, line 14, strike out the word "by," also lines 14 and 15, strike out the words "at the appeallate division thereof," also line 14, after the word "heard" insert the words "at a term of the appellate division thereof."

Same page, line 16, after the word "of" strike out the word "the" and insert the word "such."

Page 13, line 4, capitalize the words "water board."

Page 14, line 1, capitalize the words "water board."

Same page, line 10, capitalize the words "water board."

Same page, line 25, after the word "centum" insert the words "per annum."

Page 15, line 9, capitalize the words "water board."

Same page, line 17, capitalize the words "water board."

Same page, line 19, capitalize the words "water board."

Same page, line 26, capitalize the words "water board."

Page 16, lines 24 and 25, capitalize the words "water board."

Page 17, line 3, capitalize the words "water board."

Same page, line 12, capitalize the words "water board."

Same page, line 23, capitalize the words "water board."

Page 18, lines 1 and 2, strike out the words "the prices of water supply" and insert the words "water rents."

Same page, line 12, capitalize the words "water board."

Same page, lines 17 and 18, capitalize the words "water board."

Page 19, line 5, capitalize the words "water board."

Same page, line 15, capitalize the words "water board."

Same page, line 20, capitalize the words "water board."

Same page, line 23, capitalize the words "water board."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was

referred the bill (No. 2078) entitled "An act to amend the State Charities Law by providing that a member of the State board of charities shall be a representative labor man" (Int. No. 741), reported the same with the following recommendations:

Page 2, line 15, after the word "effect" insert a comma.

Same page, line 8, strike out the word "therefore" and insert the word "thereafter."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2047) entitled "An act to amend section 2125 of chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to Hell Gate pilots, pilotage and pilot apprentices" (Int. No. 1270), reported the same with the following recommendations:

Page 1, line 1, before the word "twenty-one" strike out the letter "s" in the word "sections" so as to read "section."

Same page, line 5, before the word "hereby" strike out the word "are" and insert the word "is."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2003) entitled "An act to enable the commissioners of the police department of the city of New York to rehear and determine the charges against John Fitzgibbons, a policeman of the first grade, for reinstatement, in said department" (Int. No. 1332), reported the same with the following recommendations:

Page 2, line 6, after the word "salary" strike out the words "for the time."

Same page, line 10, before the word "since" strike out the word "time" and insert the word "salary."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2084) entitled "An act to amend the Town Law, relating to the powers of town auditors" (Int. No. 1383), reported the same with the following recommendations:

Page 1, line 3, after the word "ninety" insert the words "entitled 'An act in relation to towns constituting chapter twenty of the general laws.'"

Page 2, line 3, after the words "such board" strike out comma and insert semicolon.

Same page, line 13, after the word "appointed" strike out comma and insert semicolon.

Same page, line 17, after the word "of" insert the word "said."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2045) entitled "An act to amend chapter 410 of the Laws of 1882, entitled 'An act to consolidate into one act and to declare the special and local laws affecting public interests in the city of New York,' relating to summary proceedings" (Int. No. 1184), reported the same with the following recommendations:

Page 1, lines 6 and 7, after the word "property" insert a comma.

Page 2, line 1, after the word "procedure" insert a comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was the bill (No. 1385) entitled "An act to amend the Transportation Corporation Law, in relation to the inspection of gas meters, and providing for a deputy inspector for the borough of Brooklyn, in the city of New York, the employment of mechanics to assist the inspector of gas meters in his work, and for the pay-

ment of office and other expenditures necessary for the performance of the duties imposed by law upon said inspector of gas meters" (Int. No. 1128), reported the same with the following recommendations:

Page 1, line 3, add "ing" to the word "except."

Same page, line 6, after the word "ninety-three" strike out the word "and;" also after the word "as" strike out the word "further."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2104) entitled "An act to amend chapter 179 of the general laws of 1898, entitled 'An act in relation to enrollment for political parties, primary elections, conventions and political committees,' relative to the enrollment for and holding of primary elections" (Int. No. 1106), reported the same with the following recommendations:

Page 1, lines 1 and 2, strike out the word "general."

Page 2, line 17, before the word "first" insert the words "until the."

Page 6, line 21, strike out the word "issue."

Page 55, line 8, strike out the word "such."

Page 65, line 6, strike out the word "elections" and insert in lieu thereof the word "electors."

Amend the title by striking out the word "general."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2071) entitled "An act to amend chapter 237 of the Laws of 1872, entitled 'An act revising, amending and consolidating the charter of and the several acts relating to the village of Geneseo, in the county of Livingston, modifying the powers of the corporation and the duties of its officers and the acts amendatory thereof and supplemental thereto'" (Int. No. 1308), reported the same with the following recommendations:

Page 10, line 16, after the word "receive" insert a comma.

Page 11, lines 7 and 12, commence said lines with "§."

Page 12, line 1, commence said line with "§."

Page 14, line 2, after the word "land" strike out comma and insert in lieu thereof a period.

Same page, line 7, after the word "chargeable" strike out comma and insert in lieu thereof a semicolon.

Amend the title by inserting comma after the word "Geneseo," line 4, comma after the word "corporation," line 5, comma after the word "officers," line 6; also quotation marks after the word "officers," line 6.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2075) entitled "An act to amend chapter 415 of the Laws of 1897, entitled 'An act in relation to labor, constituting chapter 32 of the general laws relative to the hours of labor and the prevailing rate of wages' (Int. No. 1351), reported the same with the following recommendations:

Page 1, line 3, after the word "labor" insert comma.

Same page, line 4, after the word "laws" insert comma and quotation mark.

Page 2, line 12, after the word "fire" insert comma.

Same page, line 18, after the word "on" insert comma.

Same page, line 21, after the word "labor" insert comma.

Same page, line 22, after the word "contractor" insert comma.

Page 3, line 3, after the word "officer" insert comma.

Same page, line 17, after the word "violates" insert comma.

Page 4, correct all matter so as to read as follows:

"Any officer, agent or employee of such municipal corporation from paying or authorizing the payment of any public money for work done thereupon.

"§ 3. All acts or parts of acts inconsistent with the provisions of this act, in so far as they are inconsistent, are hereby repealed. But nothing in this act shall apply to any existing contract for public work.

"§ 4. This act shall take effect immediately."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2088) entitled "An act to amend chapter 225 of the Laws of 1896, entitled 'An act in relation to the poor, constituting chapter 25 of the general laws,' relating to the burial of soldiers, sailors or marines" (Int. No. 502), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-six" insert the words "entitled 'An act in relation to the poor, constituting chapter twenty-five of the general laws.'"

Same page, line 4, strike out the figure "2" and insert in lieu thereof the figure "3."

Page 3, line 16, after the word "of" strike out the word "said" and insert in lieu thereof the word "such."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2037) entitled "An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines, for hawking, peddling and vending of merchandise within the State" (Int. No. 419), reported the same with the following recommendations:

Amend the title so as to read as follows:

"An act to amend chapter three hundred and seventy-one of the laws of eighteen hundred and ninety-six, entitled 'An act to authorize the issuing of licenses to honorably discharged soldiers, sailors and marines, for hawking, peddling and vending of merchandise within the state,' relative to members of the National Guard."

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2083) entitled "An act to amend chapter 378 of the Laws of 1897, entitled 'An act to unite into one mu-

nicipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Queens, and to provide for the government thereof,' relative to inspection and testing of gas meters " (Int. No. 1127), reported the same with the following recommendations:

Page 1, line 3, after the word " ninety-seven " insert the following: " entitled ' An act to unite into one municipality, under the corporate name of the city of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings, the county of Richmond and part of the county of Quens and to provide for the government thereof.' "

Page 2, line 25, after the word " consumed " insert semicolon.

Page 3, line 10, add the letter " s " to the word " inspector;" also before the word " meter " strike out the word " the " and insert in lieu thereof the word " its."

Same page, line 14, after the word " of " insert the word " said."

Same page, lines 14, 15 and 16, strike out the words " three hundred and seventy-eight of the laws of eighteen hundred and ninety-seven."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill introduced by the special committee of the Assembly to investigate the surrogates' court in New York county (No. 2009) entitled " An act to amend the Code of Civil Procedure, relating to inventory appraisals of the estates of decedents " (Int. No. 1322), reported the same with the following recommendation:

Page 3, line 6, after the word " attend " insert comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 716) entitled "An act to exempt from taxation the real estate of the Educational Alliance and of the University Settlement Society of New York (incorporated)" (Int. No. 651), reported the same with the following recommendation:

Page 1, line 6, after the word "children" insert comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2035) entitled "An act to amend section 3314 of the Code of Civil Procedure relative to fees of jurors" (Int. No. 237), reported the same with the following recommendations:

Page 1, lines 4 and 5, underscore the words: "In the counties within the city of New York, the municipal assembly."

Page 2, line 8, after the word "the" strike out the word "county" and insert in lieu thereof the word "counties;" also after the word "Nassau" strike out comma.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 514) entitled "An act to exempt from taxation the property of certain medical societies situated in cities of the first class" (Int. No. 487), reported the same with the following recommendation:

Page 1, line 8, after the word "state" insert quotation marks.

W. L. COUGHTRY,
Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2074) entitled "An act amending the Fisheries, Game and Forest Law, and the act amendatory thereof, in relation to certain fish that may be caught through the ice in

lakes and waters named " (Int. No. 276), reported the same with the following recommendation:

Amend the title to read as follows:

"An act to amend the fisheries, game and forest law, in relation to certain fish that may be caught through the ice in lakes and waters named."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2053) entitled "An act to amend chapter 775 of the Laws of 1895, entitled 'An act to legalize and provide for the payment of certain claims against Long Island City'" (Int. No. 1280), reported the same with the following recommendation:

Amend the title to read as follows:

"An act to amend chapter seven hundred and seventy-five of the laws of eighteen hundred and ninety-five, entitled 'An act to legalize and provide for the payment of certain claims against Long Island City,' relative to auditing and paying amounts due on contracts."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the Senate bill No. 365, Assembly reprint No. 2000, Rec. No. 132, entitled "An act to establish a police pension fund for the city of Albany," reported the same with the following recommendations:

Page 2, line 8, after the word "shall" insert a comma.

Same page, line 9, after the words "time to time" insert a comma.

Same page, line 22, after the word "force" insert a comma.

Page 4, line 8, after the word "disabled" insert a comma, also after the word "mentally" insert a comma.

Same page, line 10, after the word "member" strike out the word "but."

Same page lines 10 and 11, after the word "dollars" insert a comma, also after the words "fifty dollars," strike out the words "and which."

Same page, line 13, after the word "release" insert a comma.

Same page, line 14, after the word "service" insert a comma.

Same page, line 15, after the word "member" insert a comma.

Same page, line 16, after the word "age" insert a comma, also after the word "years" insert a comma.

Same page, line 17, after the word "duty" insert a comma.

Same page, line 18, strike out the word "on" and insert the word "upon."

Same page, line 19, after the word "member" insert a comma, also after the word "fund" insert a comma.

Same page, line 20, after the words "time of" strike out the words "a sum."

Same page, line 21, after the word "retired" strike out the word "but."

Page 5, line 2, after the word "granted" insert a comma, also after the word "thereof" strike out comma.

Same page, line 20, after the word "shall" insert a comma.

Same page, line 21, after the word "case" insert a comma.

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 1289) entitled "An act to amend sections 707, 708, 709 and 710 of the Greater New York charter, being chapter 378 of the Laws of 1897, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy in the city of New York" (Int. No. 1076), reported the same with the following recommendations:

Page 1, line 3, after the word "ninety-seven" insert the following: "entitled 'An act to unite into one municipality, under the corporate name of The City of New York, the various communities lying in and about New York harbor, including the city and county of New York, the city of Brooklyn and the county of Kings; the county of Richmond and part of the county of Queens, and to provide for the government thereof.'"

Page 4, line 19, after the word "of" insert the word "said."

Page 6, line 1, after the word "of" insert the word "said."

Same page, line 19, after the word "of" insert the word "said."

Page 9, line 7, after the word "said" strike out the word "other" and insert the word "order."

Amend the title to read as follows:

"An act to amend The Greater New York Charter, relative to the commitment of persons convicted of public intoxication, disorderly conduct and vagrancy in the city of New York."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2001) entitled "An act to amend chapter 39 of the Laws of 1896, entitled 'An act to provide for the election of a police justice in the town of Esopus and in the county of Ulster, passed 1896,' relative to term of police justice" (Int. No. 1442), reported the same with the following recommendations:

Page 1, line 2, after the word "ninety-six" insert the words "entitled 'An act to provide for the election of a police justice in the town of Esopus and in the county of Ulster.'"

Same page, line 5, after the word "Ulster" insert a comma.

Same page, line 6, after the word "town" insert a comma.

Amend the title to read as follows:

"An act to amend chapter thirty-nine of the laws of eighteen hundred and ninety-six, entitled 'An act to provide for the election of a police justice in the town of Esopus and in the county of Ulster,' relative to term of police justice."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Coughtry, from the committee on revision, to which was referred the bill (No. 2024) entitled "An act to amend section 3312 of the Code of Civil Procedure" (Int. No. 1484), reported the same with the following recommendations:

Page 2, line 6, after the word "effect" strike out the word "immediately" and insert the words "September first, eighteen hundred and ninety-nine."

Amend the title to read as follows:

"An act to amend the code of civil procedure, relative to the fees of constables and deputy sheriffs."

W. L. COUGHTRY,

Chairman.

Which report was agreed to, and said bill ordered reprinted and engrossed for a third reading.

Mr. Vincent, from the committee on engrossed bills, reported as correctly printed or engrossed the bill entitled as follows:

“An act to amend chapter 908 of the Laws of 1896, entitled ‘An act relating to taxation, constituting chapter 24 of the general laws, relating to exemptions of property owned by fraternal associations or corporations connected with colleges and universities.’ (No. 2058, Int. No. 1481.)

Mr. Palmer gave notice that on Tuesday, April 11, he would move to discharge the committee on the judiciary from further consideration of Senate bill No. 498, entitled “An act to prevent monopolies in articles or commodities of common use, and to prohibit restraints of trade and commerce, providing penalties for violations of the provisions of this act, and procedure to enable the attorney-general to secure testimony in relation thereto.” (Rec. No. 183.)

On motion of Mr. Kelsey, at 5 o'clock p. m., the House took a recess until 8 o'clock p. m.

EIGHT O'CLOCK P. M.

The House again met.

The bill (No. 1021) entitled “An act to authorize the commissioners of the land office to exchange certain parcels of land with the Western New York and Pennsylvania Railway Company” (Int. No. 893), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 544) entitled “An act regarding the title of purchasers or incumbrancers of real property sold to guardians in socage under judgment in actions for the partition of such property” (Int. No. 517), was read the second time.

On motion of Mr. Bedell, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1780) entitled “An act to facilitate the revision of the general statutes and the codes” (Int. No. 1358), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading.

On motion of Mr. Kelsey, said bill was recommitted to the committee on the judiciary, retaining its place on the order of third reading.

The bill (No. 1765) entitled "An act to release to John Hermanson, all the right, title and interest of the people of the State of New York in and to certain real estate" (Int. No. 1343), was read the second time.

On motion of Mr. Gale, said bill was placed on the order of third reading.

On motion of Mr. Gale, and by unanimous consent, said bill was read the third time, having been printed and upon the desks of the members in its final form at least three calendar legislative days prior to its final passage.

Mr. Speaker put the question whether the Senate would agree to the final passage of said bill, and it was determined in the affirmative, two-thirds of all the members elected to the Assembly voting in favor thereof.

{ AYES 130 }
{ NOES 00 }

Those who voted in the affirmative, were

Adler	Cotton	Graham	McMillan	Schmid F
Allds	Coughtry	Green	Meister	Schoeneck
Apgar	Cowles	Greenwood	Murphy	Sears
Axtell	Cross	Hallock	O'Connell	Slater
Babcock	Darrison	Harburger	O'Connor	Sloane C A
Baker	Davis	Hatch	Palmer	Sloane J J
Ball	Dean	Hays	Paris	Smith J E
Barrett	De Graw	Heller	Patton	Smith J T
Bashford	Delaney	Henderson	Phillips	Snyder
Baum	Dillon	Henry	Pickett	Sprague
Bedell	Doughty	Hill	Post	Stoneman
Beede	Dutton	Hitchcock	Poth	Streifler
Boland	Egan	Hutton	Redington	Sullivan T P
Brennan E C	Ellis	Kelsey	Reidman	Sullivan W J
Brennan J F	Evarts	Kullman	Roberts	Ten Eyck
Brewster	Fallows	Lewis M E	Roche	Thorn
Brown	Fancher	Lewis T D	Rodenbeck	Torborg
Bryan	Farrell	Litchard	Rogers	Trainor
Bulkley	Finn	Maher	Rowe	Tripp

Burnett	Fish	Mangin	Russell	Vincent
Cain	Fitzgerald	Martin	Sabine	Ware
Clark	Fordyce	Mason	Sanders	West
Collier	Fowler	Mazet	Sandford	Whipple
Collins	Gale	McEwan	Sands	Wilson
Costello	Gallagher	McInerney	Sawyer	Wingenfeld
Cottle	Gardiner	McKeown	Schmid A F	Witter

Ordered, That the Clerk deliver said bill to the Senate, and request their concurrence therein.

The bill (No. 1681) entitled "An act to secure rights of members of associations" (Int. No. 1282), was read the second time.

On motion of Mr. Greenwood, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 1576) entitled "An act to amend chapter 165 of the Laws of 1898, entitled 'An act for the registration of all persons duly admitted and licensed to practice as attorneys at law or as attorneys and counsellors at law in the courts of record of this State'" (Int. No. 1253), was read the second time.

On motion of Mr. Kelsey, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2122) entitled "An act conferring upon the board of claims jurisdiction to hear, audit and determine the claim of Henri D. Dickinson against the State and to make an award therefor" (Int. No. 1522), was read the second time.

On motion of Mr. Mason, said bill was placed on the order of third reading and referred to the committee on revision.

The bill (No. 2013) entitled "An act for the protection and improvement of the purity of the waters of the State, and conferring additional powers on the State Board of Health" (Int. No. 1472), having been announced for a second reading,

On motion of Mr. Fordyce, said bill was laid aside, retaining its place on the order of second reading.

The bill (No. 1290) entitled "An act to amend section 30 of article 5 of title 8 of chapter 556 of the Laws of 1894, known as the 'Consolidated School Law' relating to the alteration of union free school districts" (Int. No. 1077), was read the second time.

INDEX TO ASSEMBLY JOURNAL.

1899.

NOTE.—This index has been greatly enlarged and improved. A little study of the system of indexing together with the copious system of cross references will, it is believed, enable one to find with ease anything contained in the Journal. The plan of indexing is as follows:

1. Every bill relating to a locality may be found indexed under the name of that locality and ordinarily will not be found indexed under the subject to which it relates.

2. All bills relating to Kings county will be found under the Borough of Brooklyn, and all bills relating to Greater New York under New York City and Boroughs of Manhattan, Bronx, Brooklyn, Richmond and Queens.

3. Every general bill will be found indexed under the proper subject.

4. Every resolution, excepting the recalling bills, will be found under "Resolutions."

5. Every bill relating to canals will be found under "Canals."

6. The bills relating to general laws under the proper heads, *i. e.*, "Banking Law," "Benevolent Orders Law," "Game Law," "Lien Law," "Revised Statutes," &c., &c.

7. All claim bills under "Claims."

8. Bills relating to cities of either class under "Cities of 1st Class," "Cities of 2d Class," &c., &c.

9. All Code amendments under the heads of "Code Civil," "Code Criminal," &c., &c.

10. All petitions under "Petitions," and reports under "Reports."

11. All points of order under "Points of Order."

12. All decisions and acts of Speakers under "Speaker."

13. Privileges of floor under "Privilege."

14. All matters not relating to bills under the proper head.

15. The numbers used in this index, *viz.*: "Int. No.," refers to Assembly bill and its introductory number, and when "Rec. No." is used, it refers to a Senate bill and its reception number.

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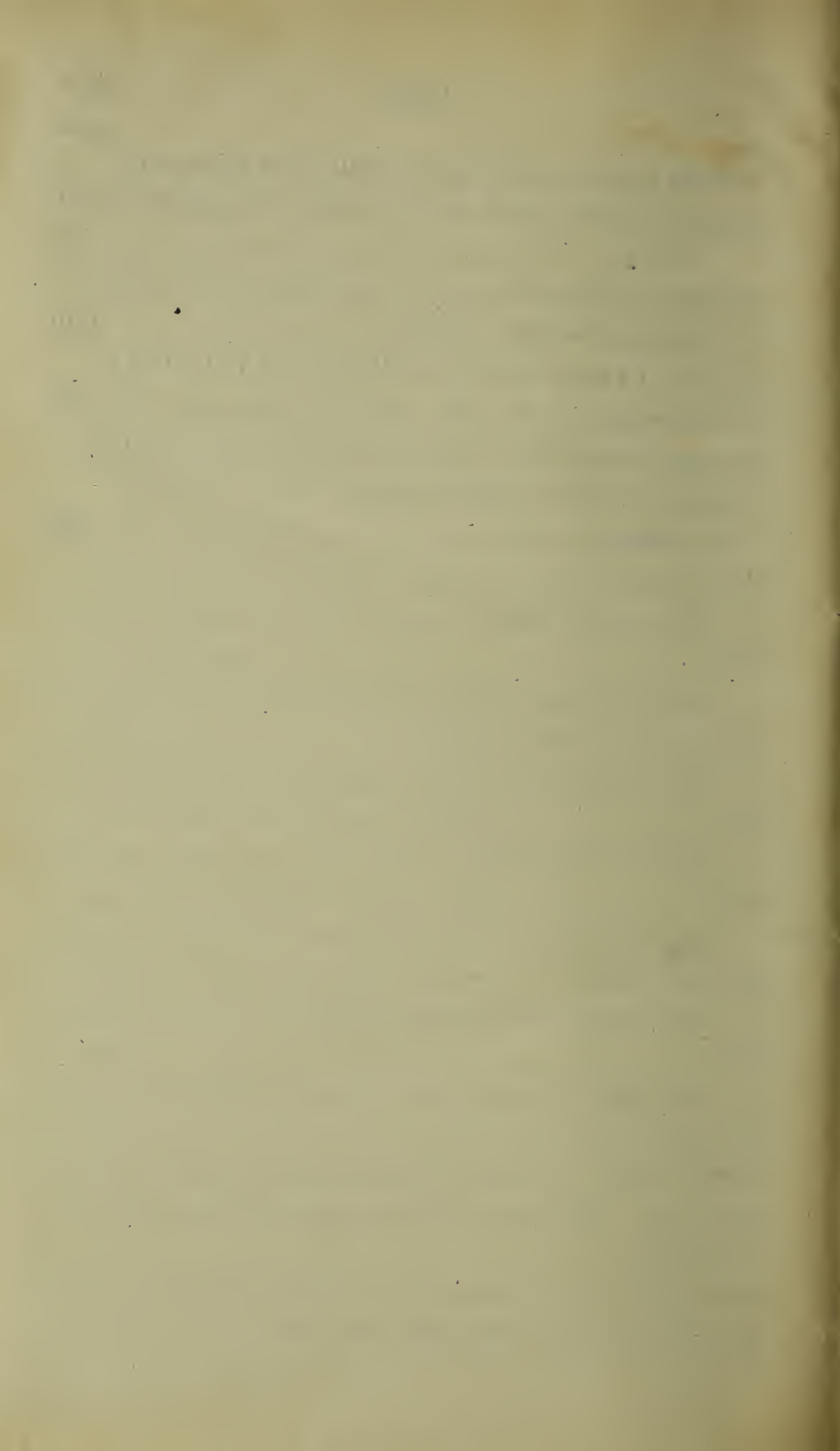
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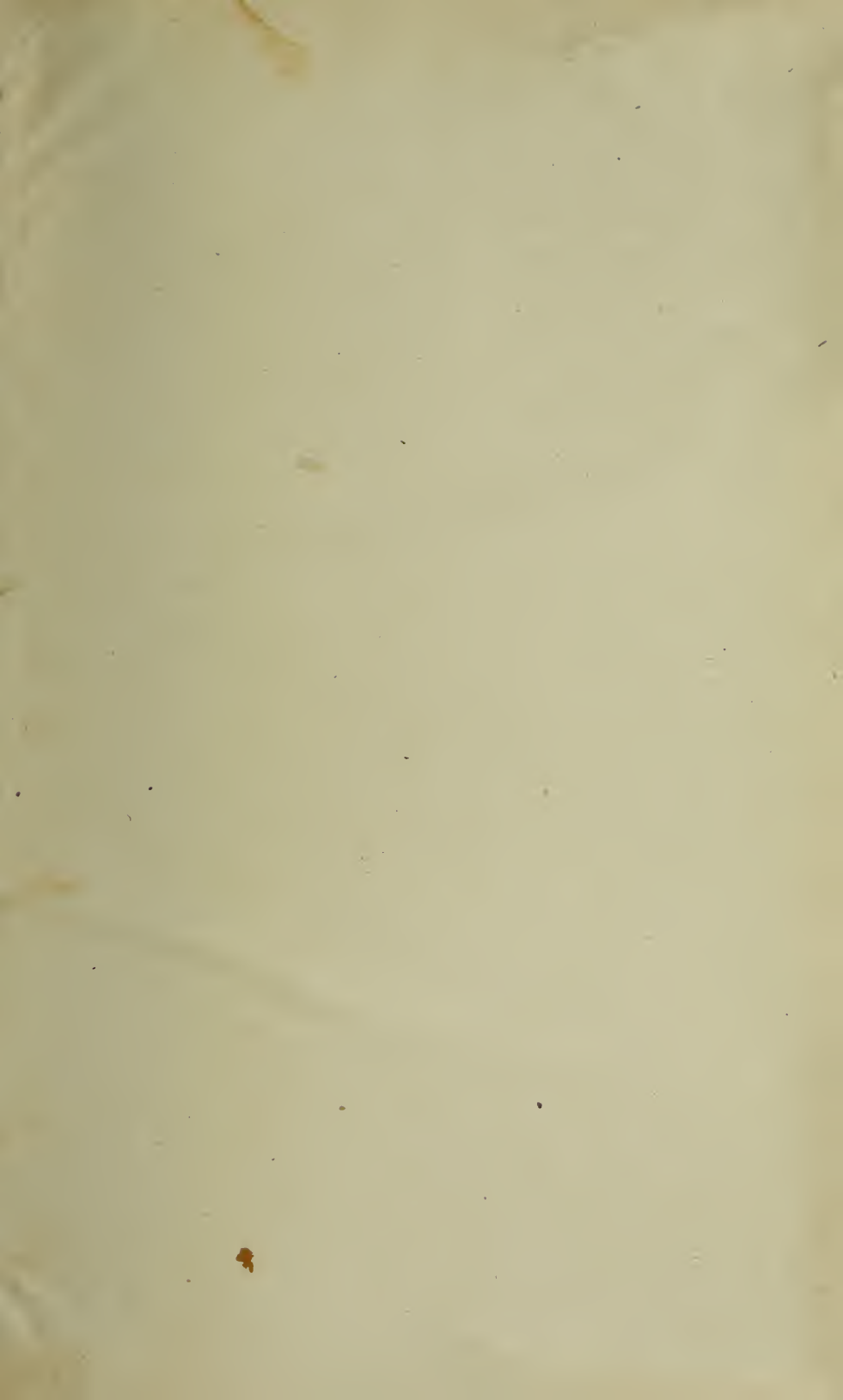
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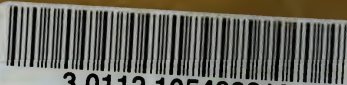
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